

CROWN JEWELS COMMISSION (IRELAND).

APPENDIX

TO THE

REPORT

OF THE

VICE-REGAL COMMISSION

APPOINTED TO INVESTIGATE THE CIRCUMSTANCES OF THE LOSS OF THE

REGALIA OF THE ORDER OF SAINT PATRICK,

AND

TO INQUIRE WHETHER SIR ARTHUR VICARS EXERCISED DUE
VIGILANCE AND PROPER CARE AS THE CUSTODIAN THEREOF.

MINUTES OF EVIDENCE.

Presented to both Houses of Parliament by Command of His Majesty.



DUBLIN:

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CROWN JEWELS COMMISSION (IRELAND).

MINUTES OF EVIDENCE.

LIST OF WITNESSES:—

						Page.
Mr. G. D. Burchell,	...	...	...	...	...	6
Second examination,	...	...	...	...	...	34
Third examination,	...	...	...	...	...	60
Mrs. Mary Farrell,	...	...	...	...	...	13
Mr. William Stivey,	...	...	...	...	...	14
Mr. Pearce G. Mahoney,	...	...	...	...	...	23
Second examination,	...	...	...	...	...	78
Mr. John O'Keefe,	...	...	...	...	...	27
Detective Officer Kerr,	...	...	...	...	...	28
Second examination,	...	...	...	...	...	55
Mr. Horlock (declines to give evidence),	...	...	...	...	...	35
Mr. F. Bennett Goldney, F.S.A.,	...	...	...	...	...	35
Second examination,	...	...	...	...	...	42
Mr. F. J. O'Hare,	...	...	...	...	...	38
Mr. C. Gallagher,	...	...	...	...	...	38
Mr. W. V. Harrel, M.V.O.,	...	...	...	...	...	39
Second examination,	...	...	...	...	...	46
Third examination,	...	...	...	...	...	53
Mr. J. C. Hodgson, F.S.A.,	...	...	...	...	...	47
Superintendent Lowe,	...	...	...	...	...	49
Mr. T. J. Smyth,	...	...	...	...	...	52
Chief Inspector Cummins,	...	...	...	...	...	53
Detective Sergeant Murphy,	...	...	...	...	...	54
Second examination,	...	...	...	...	...	57
Detective Sergeant Sheehan,	...	...	...	...	...	56
Second examination,	...	...	...	...	...	66
Sir John Ross of Bladensburg, K.C.B.,	...	...	...	...	...	57
Chief Inspector Kane,	...	...	...	...	...	58
Second examination,	...	...	...	...	...	79
Mr. A. Robinson,	...	...	...	...	...	61
Sir G. G. V. Holmes, K.C.V.O., C.B.,	...	...	...	...	...	63
Mr. F. R. Shackleton,	...	...	...	...	...	67
Miss Gibbon (declines to give evidence),	...	...	...	...	...	79
Mr. A. L. Bond,	...	...	...	...	...	80

CROWN JEWELS COMMISSION (IRELAND).

MINUTES OF EVIDENCE.

His Honour Judge JAMES JOHNSTON SHAW, K.C.; ROBERT FITZWILLIAM STARKIE, Esquire, and CANTERBURY JONES, Esquire, Commissioners appointed by His Excellency the Lord Lieutenant to investigate the circumstances of the loss of the Regalia of the Order of St. Patrick, and to inquire whether Sir ARTHUR VICARS exercised due vigilance and proper care as the custodian thereof, held their first sitting in the Office of Arms, Dublin Castle, on Friday, the 10th day of January, 1908, with Mr. C. T. BEARD, M.A., as Secretary.

Sir ARTHUR VICARS, Ulster King of Arms, was present, with his solicitor, Mr. MEREDITH, and his counsel, the Right Hon. J. H. Campbell, K.C.; and Mr. TIMOTHY HEALY, M.P.

The Solicitor-General, instructed by Mr. MALACHY KELLY, Chief Crown Solicitor, was also present.

His Honour Judge SHAW, Chairman of the Commission.—Mr. Beard, the Secretary, will read the warrant.

Mr. Beard then read the Viceregal warrant as follows:—

By the Lord Lieutenant-General and General Governor of Ireland.

Assumptions

Whereas We have deemed it expedient that a Commission should issue forthwith to investigate the circumstances of the loss of the Regalia of the Order of Saint Patrick and to inquire whether Sir Arthur Vicars exercised due vigilance and proper care as the custodian thereof.

Now We, John Campbell, Earl of Abercorn, Lord Lieutenant-General and General Governor of Ireland, nominate, constitute and appoint you, His Honor James Johnston Shaw, Robert Fitzwilliam Starkie,

Esquire, and Chester Jones, Esquire, to be Commissioners for the purposes of the said Inquiry:

We do by these presents authorize and empower you to inquire of and concerning the premises, and to examine witnesses, and call for and examine all such books and documents as you shall judge likely to afford you the fullest information, and to report to Us what you shall find touching and concerning the premises.

Given at His Majesty's Castle in Dublin,
this 6th day of January, 1908.

By His Excellency's Command,

J. B. DODDINGTON.

Mr. Campbell, K.C.—Might I advise, sir, that I appear here together with my friend Mr. Healy, and so far as may be necessary, on behalf of Sir Arthur Vicars, but I would wish to be informed, sir, by you at the outset whether it is intended to conduct these proceedings in public or in private?

Chairman.—Well, the intention, I think, was to conduct the proceedings in private, but we are ready to hear any application that may be made as to that.

Mr. Campbell, K.C.—Am I right, also, sir, in the belief that we entertain that under the warrant appointing you, you have no power to compel the attendance of witnesses and no power to examine witnesses on oath?

Chairman.—Well, I understand that that is so. Mr. Campbell, K.C.—Well, it is only right and fair, sir, that at the outset I should exactly define the position, that we intend to take up under these circumstances on behalf of Sir Arthur Vicars, who would not, nor would his counsel, ever willingly be a party to a private or secret inquiry, to start with. The matter has now been the subject of public comment for six months. During that six months it is notorious—for we do not come here without knowing what is going on around us—if it is notorious that reports and rumours of a most extraordinary character and nature have been most freely circulated; and, apart from these reports, it is also within the knowledge of Sir Arthur Vicars and his advisers that in connection with the disappearance of these Crown jewels other charges have been suggested and instigated by the authorities against Sir Arthur Vicars of a very shocking and a very gross character. And it is also known to Sir Arthur Vicars—in fact, it was so stated

to his brother, Mr. Malony, by the Chief Secretary—that these other matters to which I have referred have been laid before His Majesty, and were before him.

Chairman.—I understand, Mr. Campbell, that you are now making an application for a public inquiry?

Mr. Campbell, K.C.—I am, first of all, pointing out why, in my opinion, the ends of justice require that this Inquiry should be public, to start with. Now, there is no doubt, as I have said, that in connection with the disappearance of these jewels very terrible suggestions and insinuations have been made affecting the moral character of Sir Arthur Vicars. They have never been formulated. He has repeatedly asked for them. He has declared his readiness and his anxiety to meet them. He has asked to see them, and he has asked to know what they are. He has been met with evasion throughout, though it has been always admitted that such insinuations were made and were to be found in documents which are in the possession of the authorities. Well, it is his own opinion and that of his friends, and his counsel and attorney agree with him in regard to that, that no Inquiry in connection with the disappearance of these jewels can ever be satisfactory either in the interests of justice or of ordinary fair play, particularly to an official with his record, a record of some fifteen years of public service, the merits of which have been acknowledged over and over again by successive Lord Lieutenants, that it would be an intolerable act of injustice to have an Inquiry which, on the face of it, would appear to exclude these matters, though, as I have said, it is notorious that they were part and parcel of the information upon which action was taken in the month of October last, by writing to Sir Arthur Vicars—because I do

Done,

Jan. 10. 1908

DUBLIN,
Jan. 10, 1906.

not know whether you, gentlemen, are aware of it, that on the 23rd of October last he got an intimation from the Lord Lieutenant to say that His Majesty had come to the conclusion that he would reconstitute this office, and that his services were no longer in regard.

Chairman.—We have got a Commission which enables us to inquire only into one particular; we are to inquire into the circumstances under which these jewels were lost; but the second part of the Inquiry is to inquire whether Sir Arthur Vicars exercised due vigilance and care in the custody of these jewels. It appears to me that we are to enter into the Inquiry as to the circumstances solely with a view to determine the second point, as to the vigilance and care that Sir Arthur Vicars used in the custody of the jewels. I do not see how the masters that you are now referring to can come within the scope of this Inquiry.

Mr. Campbell, K.C.—I may say that on that my view coincides with your own.

Chairman.—Your argument is not an objection to the privacy of the Inquiry, but an objection to the Inquiry altogether.

Mr. Campbell, K.C.—If you look, sir, at your warrant, it is very peculiar in the form of it, because if it was proposed to limit it it would have been quite sufficient to have said that you were to inquire whether Sir Arthur Vicars exercised due vigilance in regard to the custody of the jewels, but that is not what it says. It puts in the foreword not that, but to investigate the circumstances of the loss of the regalia; and I may tell you that one of the charges formulated against Sir Arthur Vicars, not formulated, but intimated against him, in connection with the disappearance of the jewels, is an allegation that he introduced an undesirable person into the privacy of his office. That charge has been intimated against him.

Chairman.—I can quite understand, in an Inquiry into the custody of the jewels, Sir Arthur Vicars being the responsible custodian of the jewels, I can quite understand that part of the evidence of want of care would be the employment of improper persons. That is quite possible to be one of the elements in the case. But what I want to say to you is this, that so far as I can see, the first part of our Inquiry, into the circumstances of the case, is to be construed strictly by the second part, that is to say, we are to inquire into the circumstances of the loss of the jewels so far as those circumstances throw light upon any want of care or any due care that Sir Arthur Vicars may have taken of the jewels, and in my opinion this Inquiry is restricted, and as far as I am concerned, I will do my best to restrict the Inquiry to that issue, and to that issue only.

Mr. Campbell, K.C.—Of course that is perfectly fair and frank as I was quite certain any statement from you would be, and if I might respectfully say so, I would myself be inclined to concur that as the scope of your functions under this Commission, though it is framed in a rather ambiguous way.

Chairman.—I think we are both agreed upon the scope of the Commission.

Mr. Campbell, K.C.—Taking that assumption I can only say, speaking on behalf of Sir Arthur Vicars, that he will decline to take any part whatever in such an investigation. It is a painful one. It is an investigation into a matter upon which the Executive have already made up their minds, because they have told him so over and over again, and because it is no vindication of him, and no report that you could make would be any vindication of him, and what concerns him more than anything to the charge not formulated, but the masters of intimation against his personal character. And there is another reason for Sir Arthur Vicars taking that course. I am speaking with the fullest respect for the Commission. They are sitting here simply in discharge of the letter they have received. But there is another reason. This is a crisis which is alleged to have baffled the police from the date of its commission up to the present. It is a crisis into the circumstances of which you are to inquire, and you are there entrusted with the very responsible duty of ascertaining or convicting of negligence or duty as official, a servant of the King, a direct member of his own household, one who, as I have said, for fifteen years has filled his present post with distinction and credit. Now, I should have thought that an Inquiry of that

kind would have been on the lines persistently demanded by Sir Arthur Vicars during the last three months.

Chairman.—But really, Mr. Campbell, what is the use of addressing that argument to me? We have only to act upon the reference that we have got, and as to whether the reference ought to have been other, or wider, or narrower, we have no jurisdiction.

Mr. Campbell, K.C.—I want to explain my position and this, and I have very little more to say. I will only conclude by saying this, that no Inquiry could possibly be satisfactory, dealing with grave and large issues of that kind, if it was not both public and judicial. Now the question of publicity you have said that you are prepared to consider, but no decision on the question of privacy or publicity would be of the slightest advantage so long as the Inquiry is limited as you have told me, and as we all believed it was by the fact that you have neither power nor the power to compel the attendance of witnesses nor have you the power to examine witnesses upon oath. The Government might have got Parliament to appoint a Royal Commission which would have all those powers, but they have appointed a Commission to hold, in the first place, a secret inquiry, and to do that under circumstances under which they have neither the power to compel the attendance of witnesses nor to examine witnesses on oath.

Chairman.—My colleague, Mr. Chester Jones, asks me to remind you that we are not appointed to hold a secret inquiry.

Mr. Campbell, K.C.—I understand you to say that while you were not bound to do so your view was that it should be held in secret.

Chairman.—No, I did not say my view. I said that I thought the intention was in appointing this Commission that it should be held in private. I am quite prepared to hear any application you may make, but I may say that I do not see, in view of the position which you take in this matter as to our reference being so narrow, why you should apply for a public inquiry at all, because you tell us that even a public inquiry under such circumstances would be of no value at all to you.

Mr. Campbell, K.C.—My view is not that your duties were necessarily confined to this narrow question. On the contrary I pointed out that by the construction of the opening words it might be considered that it would be quite open to the Commission to determine that they have the power to investigate everything, but you stopped me upon that, because you told me that the view of yourself and your colleagues was that your entire Inquiry was limited by the second point, to inquire whether Sir Arthur Vicars "exercised due diligence and proper care as custodian thereof."

Chairman.—That is the gist of the inquiry.

Mr. Campbell, K.C.—That is what you said. You told me that that was the view of the entire Commission, and that being so there is no use in my saying that your duties are wider than that, but though I think that, having regard to the construction by you of those words to which you called attention, it would show that the investigation of the circumstances of the loss of the regalia is impossible, yet it is conceivable on that language that the Commission might have come to a wholly different conclusion and that they would have to investigate every circumstance and incident arising out of that transaction. But that is not the view of the Commission, and therefore, I will deal with that on the restricted view which they take and which I have no hesitation in saying, although the language is ambiguous, is probably the true construction. But I am not at all inclined to disagree with your view that those who appointed this Commission certainly contemplated that it should be held in private. But I was going to say in conclusion that I am not singular in the view that the Commission appointed to investigate into the circumstances connected with a grave crime and also with very grave intimations against character.

Chairman.—But we are not investigating crime. That is, I think, at the root of your argument. I do not think that this reference to us gives us any such power whatever.

Mr. Campbell, K.C.—I am afraid that I cannot agree in that narrow view of it, because you are to investigate the circumstances of the loss of the regalia.

Chairman.—So far as it bears upon the other point.

Mr. Jones.—We are not to find out who the thief was. That is a job for the police.

Mr. Campbell, K.C.—Surely it is essential for you to examine the police and all that in order to throw light upon this thing, because every fact and circumstance and method by which this loss occurred might be vital whether there was negligence on the part of Sir Arthur Vivers or not.

Chairman.—Certainly.

Mr. Campbell, K.C.—So that at the very threshold your obligation will be to investigate all the circumstances which necessarily will lead you upon the path of ascertaining whether it is a crime or what it is; and therefore I will say that I am happy to be able to tell you, sir, that I am fortified in this view, having regard to the facts and circumstances attending this, when I say that I have the highest authority for saying that the issue of this Commission is absolutely worthless. For this I have the authority of the Lord Lieutenant through his Chief Secretary, Mr. Birrell, because in the month of October the Lord Lieutenant through his Chief Secretary—

Chairman.—I do not think the Chief Secretary comes into this at all.

Mr. Campbell, K.C.—But these are the views of the Lord Lieutenant.

Chairman.—We are appointed now by the Lord Lieutenant. What the Lord Lieutenant's private opinion may be we have nothing to do with.

Mr. Campbell, K.C.—This is not a private opinion.

Chairman.—Nor a public opinion either.

Mr. Campbell, K.C.—At any rate I may personally congratulate myself on the fact that I have associated with me in the view of the worthlessness of this Commission for its purpose the Chief Secretary of the Lord Lieutenant, because in the month of October he publicly declared that under circumstances such as these such a Commission as they would have power to appoint having no power to compel witnesses to attend and having no power to administer an oath, would be absolutely useless and ineffective.

Chairman.—Are you applying now for a public inquiry or are you not?

Mr. Campbell, K.C.—I am not applying to you, sir, for a public inquiry, for I know that you have no power to grant it,* but I am indicating to you why it is, having regard to the limited scope of your duties, and according to the limited construction that you have put upon your obligations under this Commission that it is impossible for Sir Arthur Vivers to take part in it, or in any way to facilitate it.

Chairman.—Then you are making no application?

Mr. Campbell, K.C.—No application whatever. I only wanted to make it perfectly plain that for the last three months Sir Arthur Vivers has been importuning the Lord Lieutenant for a public judicial inquiry, meaning, of course, by judicial what we understand as a judicial inquiry, an inquiry in which the court can compel witness to attend and can have them sworn, because I need hardly tell you I won't anticipate, but if you go on with this inquiry yourselves you will find that you will be confronted by the necessity of calling persons whose evidence not being under the sanction of an oath will not be of the slightest use to you.

Chairman.—We do not take any part in that.

Mr. Campbell, K.C.—I only wish to make it perfectly plain that Sir Arthur Vivers neither now nor at any time has tried to avoid a public judicial inquiry. He has courted it, and has been most anxious for it, and he has been defamed by aspersions of the most infamous character which have never been formulated, which, though they have been made behind his back, he has had no opportunity of having publicly investigated and they have been denied to him.

Chairman.—I understand that you now formally withdraw from this inquiry on behalf of Sir Arthur Vivers?

Mr. Campbell, K.C.—That is so, sir. I do not want there to be any ambiguity about it. I have done that for the three reasons I have stated.

Chairman.—We are not concerned with your reasons; we have heard them all; but we want to know explicitly now whether you do now formally withdraw and refuse to take any further part on behalf of Sir Arthur Vivers?

Mr. Campbell, K.C.—Yes, on behalf of Sir Arthur Vivers.

Chairman.—And I suppose it follows that Sir Arthur Vivers will not present himself?

The Solicitor-General.—May I say one word with regard to that subject? Having regard to the posi-

tion that my learned friend has defined it will not be necessary for me to deal with many of the matters, because I was under the impression that he was ~~was~~ ^{had} on Jan. 10, 1904, making a definite proposal.

Chairman.—He said as.

The Solicitor-General.—I understand now that it is not so, and in fact, what my learned friend has said is concerned with an expression of his views as to what the situation is and a statement of the reasons why Sir Arthur Vivers at this stage will not, as I understand it, either in person or through him take any part in the present inquiry. With regard to the public and judicial inquiry which my learned friend referred to, I am sure every member of the Commission is perfectly satisfied, and I am rather surprised my friend does not appear to be satisfied that no such thing as a public judicial inquiry of the character that he has referred to could be held at all in a case of this sort except by the authority of Parliament. It would require an Act of Parliament to give any authority whatever is any body to hold a public judicial inquiry into the circumstances of this case, and a Commission, whether Royal or Vice-regal, is absolutely the only instrument available to the Government for the purpose of investigation in this case. And then on the subject of an inquiry upon oath, it is settled, I think, that no Commission, whether Royal or Vice-regal, has authority except through the sanction of Parliament to administer an oath.

Mr. Campbell, K.C.—Why not ask Parliament for it? We will support you in Parliament.

The Solicitor-General.—The very matter was considered when a Royal Commission sat here not long ago under Sir Edward Fry. It was a Royal Commission, and the question was considered whether or not there was authority on the part of the Commission to administer an oath, and it was decided by that learned judge after investigation that there was no such authority at all, so that your position here is that of an ordinary Commission. You would have no higher powers even if it was a Royal Commission than at the present time. You would have no other power than this—to hold an inquiry into the matters specified in the warrant. Therefore I think my learned friend needs a mistake in suggesting that the Government could give you, so far, any larger powers.

Mr. Campbell, K.C.—I have not said that. My friend has quite misinterpreted me, and he must not misrepresent me. What we asked the Government for is what they could give.

The Chairman.—The Solicitor-General thinks that the Government have no power.

Mr. Campbell, K.C.—They could ask Parliament for it, as they did in the case of the riots occurring in Belfast.

The Solicitor-General.—The Government has no authority to invest this or any other Commission with higher powers than you possess, unless they refer to Parliament, in order to obtain an Act of Parliament for the purpose. And therefore His Excellency has thought proper to confide on you, on your kind undertaking to accept the responsibility, the tasking of a certain investigation, as defined by the warrant, into the circumstances of the loss of the regalia of the Order of St. Patrick, and into the question of Sir Arthur Vivers' due and proper care regarding these as their custodian. You, sir, have defined, and I think in a manner unexceptionable, what the real character and scope of the intended inquiry is. I do not think at present, having regard to my learned friend's attitude, that we shall have an opportunity of coming to very close quarters with regard to that, but I think that on both sides we are prepared to accept the view of the Commission as to the character and scope of this inquiry. It occurs to this, that the Crown jewels, the regalia of this Order, which by the Statutes of the Order are reposed with Sir Arthur Vivers as their custodian, have disappeared, and His Excellency is anxious, through the means of this Commission, to obtain information with regard to the matter. And while it is not for me, because we have no authority to compel Sir Arthur Vivers either to take part in the inquiry or to give evidence upon it, it is not for me to dwell unduly on the responsibility that he is taking if as custodian of these jewels that have disappeared, he refuses by counsel or himself to come in and inform the Grand Master of the Order of St. Patrick what has happened to those jewels, and account for his own action in the matter. I say it is not for me to dwell upon his responsibility in the matter,

* See the Chairman's remarks—page 61.

DRAWS.
Jan. 20, 1908.

but that is the position, and it seems to me that this is evidently a case in which it is only prudent from every point of view that the inquiry should take place in private, as you suggested you thought the intention was. But that matter now is not in dispute. My learned friend has made no application on that point. He has simply stated himself with indicating that Sir Arthur Vivers, under his advice, will take no further part either in attending here or giving evidence or information on this inquiry.

(Chairman.)—Mr. Campbell has made on behalf of Sir Arthur Vivers a very important statement. I cannot go into the motives which he has introduced into this question as to the powers of the Commission or the powers that the Commission ought to possess.

We have to deal only with the powers that the Commission do possess under their warrant, and we shall, as far as we can, carry out the inquiry that has been entrusted to us, with the powers that have been entrusted to us. But the statement by Mr. Campbell that Sir Arthur Vivers can take no part in this inquiry, and that under the advice of his counsel—so far as he takes the advice of his counsel—he will not even present himself as a witness to give us the benefit of his evidence as regards the loss of these jewels, and the circumstances under which they have disappeared, is so important, that under these circumstances we must consider what course we shall pursue, and we will adjourn this Court now till 11 o'clock tomorrow morning.

SECOND DAY.

SATURDAY, JANUARY 11TH, 1908.

The Commission sat at 11 o'clock, a.m.

His Honour Judge Shaw, Chairman of the Commission, in opening the proceedings, said:—At the sitting of this Commission yesterday morning, Mr. J. H. Campbell, K.C., as Counsel for Sir Arthur Vicars, asked whether this inquiry was to be public or private. We stated that we were prepared to hear any application he might make for a public inquiry, and consider and determine it. He then proceeded, as we understood, to urge reasons why the inquiry should be public. As most of his arguments seemed to us to be based upon the terms of reference in our Warrant, and upon the absence of any power in a Viceregal Commission to compel the attendance of witnesses or to administer an oath, we pointed out that these objections to the scope of the inquiry and the powers of the Commission would apply to a public, as much as to a private inquiry. Mr. Campbell then said that under no circumstances could Sir Arthur Vicars take any part in an inquiry whose scope was restricted to the question of his own want of due diligence and care in the custody of the insignia of St. Patrick, and which was not a public judicial investigation with power in the Courts to compel the attendance of witnesses and examine them upon oath. He was then asked if he withdrew his application for a public inquiry. He said that he did, and that he wished to announce the withdrawal of Sir Arthur Vicars from any further part in the present inquiry. He was asked if that meant that Sir Arthur Vicars would refuse to stand as a witness, and to give the Commission any information he might have on the subject of the inquiry. Mr. Campbell replied that if Sir Arthur Vicars took the advice of his Counsel he would not stand or assist the Commission in any way. Under these circumstances we thought it our duty to adjourn the Commission in order that we might consider what course we ought to take in the situation that had thus arisen. After careful consideration we were disposed to think that in the absence of Sir Arthur Vicars, who is the only person directly interested in the result of our inquiry, and without the information which he could give us as the responsible custodian of the jewels which have been lost, any further prosecution of this inquiry could effect no useful purpose, and that we should report to His Excellency. We do not wish, however, to come to any final decision on this matter until we have heard from the Solicitor-General the view which the Government which he represents take as to the further proceedings of this Commission. If he is able to show us that this inquiry, under the circumstances which have arisen, is likely to lead to any useful result, we are quite prepared to proceed, and to do our best with the evidence at our disposal.

The Solicitor-General.—Well, sir, we have carefully considered the situation that has arisen out of the statement that was made by my learned friend Mr. Campbell yesterday, and, as I understand, the position now is this, that Sir Arthur Vicars, who was custodian of the jewels at the time of their loss, has definitely declined to come forward and give any evidence on the subject of your inquiry or to facilitate the Commission in any way. The importance of that decision and the responsibility involved in it are obvious. I recognise that you have no power to compel him to give evidence, but the Government consider that the inquiry should certainly nevertheless go forward, and that the relevant evidence otherwise available should be received. Now as to that evidence, this Commission is not appointed and could not be appointed as a court of criminal investigation. Its function, however, is, as I understand it,

DRAFT
Jan. 11, 1908.

to investigate and report on all the facts bearing on the loss of the jewels, and on the question of Sir Arthur Vicars' care and vigilance as their custodian, and on whether or not those facts may throw or tend to throw light on the question of the person who abstracted them. The inquiry is not as I understand by any means limited to the mere question of whether or not Sir Arthur Vicars was negligent in his office as custodian, and I, sir, am in a position with the information supplied to me to present a number of witnesses to the Commission who will be able to give important and relevant evidence upon both these subjects of inquiry, and with your permission, sir, I propose to present those witnesses for examination according to such procedure as the Commission may lay down. Possibly the more convenient course would be, because as I am apprised of the general bearing of the evidence which the witnesses are able to give, the Commission may think it proper that I should in the first instance, at any rate, by a series of questions to them indicate the nature of that information, leaving it to the Commission afterwards to put such supplementary questions as they may think proper. But, of course, that is a matter entirely for the decision of the Commission.

COUNCILMAN.—We are still of opinion that the main object of inquiry under this Commission is the absence or the presence of due vigilance and care on the part of Sir Arthur Vicars in the custody of these jewels. Of course, we see and know from the beginning that in order to arrive at that it was necessary for us to have before us the whole of the circumstances under which the jewels were abstracted, because it is impossible to say what part of the evidence bearing upon those circumstances may not also bear upon the want of due care and vigilance on the part of Sir Arthur Vicars, and we think that any evidence that is relevant to the first part of the inquiry, that is to say the circumstances under which the jewels were lost, must also be relevant to the second part of the inquiry, which is the main gist of the inquiry. We think also that as we are not in possession of any of the evidence, and have no idea of what evidence any witness is likely to give upon the subject, the proper course would be for the Solicitor-General to put proper questions, not in any way in the sense of cross-examination, but to bring out whatever evidence the witness has to give us. We, of course, the members of the Commission here, may then seek, for ourselves, for any further information.

The Solicitor-General.—Well, sir, the first matter I wish to direct the attention of the Commission to is the Statute of the Order of St. Patrick that was established by order dated the 29th of July, 1906, in the fifth year of the present King, statutes that are appointed by virtue of Letters Patent passed by His Majesty dealing with the Order and with the very custody of these jewels. The 27th statute provides that "it is ordained that our Ulster King of Arms for the time being shall be the king of arms Knight Attendant on the Order, and shall have the custody of the seal and of the archives of the Order and the jewelled insignia of the Grand Master." Now, the jewelled insignia of the Grand Master, which, of course, means the jewels that were abstracted here—for these were the important jewels that were abstracted or a portion of them—are by statute 12 defined. That statute says—"It is ordained that in pursuance of the Royal ordinance of our Royal predecessor King William the 4th, bearing date the 7th of March, 1831, the jewelled insignia of the Grand

DEBATE.

JUN. 11, 1908.

Muster made by command of His said late Majesty for the use of the Grand Master of the Most Illustrious Order, of which a description is hereto annexed and which are Crown jewels."—A description pictorially representative of them is given. And, of course, you have got these statutes—"and which are Crown jewels, shall be handed over by such Lord Lieutenant-General and General Governor of Ireland, Grand Master of the said Most Illustrious Order, to his successor at such time as the Board of State is delivered over, and shall be deposited by our Ulster King of Arms in the Chancery of the Order along with the other insignia of the Order." The other insignia of the Order were the badges and collars worn by the Knight Companions, and some of these collars, it is common knowledge, were parts of the jewels abstracted on the occasion. "And shall be deposited by our Ulster King of Arms in the Chancery of the Order along with the other insignia of the Order." Now, by statute 27 the Chancery is defined with a declaration that "We are further pleased to ordain that the Chancery of the said Most Illustrious Order whereunto a record of all proceedings connected therewith shall be carefully deposited and preserved shall be the Office of Arms in our Castle of Dublin."

CHAIRMAN.—That is the office we are now sitting in!

The Solicitor-General.—Yes, the office we are now sitting in. And the method of deposit and custody is provided by statute 27.

CHAIRMAN.—You do not make any application, Solicitor, for a public inquiry in this case?

The Solicitor-General.—No. I was at the Commission yesterday, and I made no application at all for a public inquiry. I was saying that the method of deposit is provided by clause 27 of the statute, which says—"It is further ordained that the said collars and badges shall be deposited for safe keeping in a steel safe in the strong room of the Chancery of the Order in the Office of Arms in Ireland until they are disposed of by the Grand Master." In that way, as I understand, the Ulster King of Arms became their custodian, and is obliged under the statute to de-

posit them in a steel safe in the strong room of the Chancery of the Order, which is the present office in which we are sitting. Now, sir, with regard to the collars—and this is a matter that will arise, I think, in the course of the inquiry—it is provided that in the case of the death of one of the Knight Companions of the Order certain steps shall be taken. By clause 19 it is provided that "on the decease of each and every Knight Companion of the Order the heirs, executors, and administrators of such knight shall within three months after the decease of such knight deliver the before-mentioned collar and badge to the Sovereign or Grand Master for the service of the Order, and Ulster King of Arms or his deputies shall have full power in the name of the Grand Master to apply to the heirs, executors, and administrators of such deceased knight for the collars and badges aforesaid." That is clause 19, and then, as I have read to you, by clause 27, having got them, apparently it is his duty to deposit them with the other insignia in a safe in the strong room of the Chancery of the Order. That, as I understand the statute, is the position defining the obligation under which Ulster is to have charge of the jewels. As I understand, sir, as far as I am able to make out with the assistance of my friends there were no previous statutes which expressly dealt with the custody of the insignia of the Grand Master. But that statute, passed in 1805, is perfectly decisive on this matter.

Mr. JONES.—I did not quite follow the action you read. It says the collars and badges shall be deposited in a steel safe. Does that include the insignia of the Grand Master?

The Solicitor-General.—It does, because by a previous clause it is provided that the jewelled insignia are to be kept with the other insignia.

Mr. JONES.—Yes.

CHAIRMAN.—Yes, I understood that they were all to be kept together.

The Solicitor-General.—The jewelled insignia were to be kept with the other insignia, and the other insignia it is provided are to be kept in that way.

Order was then called.

MR. GEORGE DANCE BURCHALL examined by the Solicitor-General.

1. Now, Mr. Burchall, you are and have been for many years a member of the Bar in Ireland—I am.

2. And I believe since the year 1882 you have acted as secretary to Sir Arthur Vivers in the Office of Arms—I have.

3. Was that the year of Sir Arthur Vivers' appointment as Ulster—I—Yes.

4. And did you, as his apprenticeship, become his secretary—I—Yes.

5. And since that time, I understand, you have devoted yourself altogether to the work in this office practically—I—Oh, not altogether.

6. But very largely—I—Very largely.

7. You attend here, I believe, from day to day—I—Yes; nearly every day.

8. And your own office hours are from 11 in the morning till half-past 5 in the afternoon—I—Yes.

9. Now, was it the habit of Sir Arthur Vivers himself to attend also from day to day—I—Oh, yes.

10. In the office, as permanent officials, would you kindly tell the Commissaries who were employed—Besides myself there were only Mr. Blake and the lady who does the scrivenery and typewriting work.

11. What was her name—I—Miss Gibson. That was all till this year.

12. What year—I—1907. But occasionally there were others here. There was Mr. Glansee. I do not think he was paid.

13. CHAIRMAN.—Was that previous to 1907—I—Yes. Mr. Blake left the office at the very commencement of 1907. I was in common charge at the commencement of 1907.

14. The Solicitor-General.—Taking the months of May, June and July, 1907, who were the officials employed in the office at that time—I—Besides myself there was Miss Gibson, and there was Mr. Mahony, the Cork Herald. He was not here for a few months.

15. CHAIRMAN.—Was that Mr. Pierce Mahony—I—Yes; Mr. Pierce Mahony, junior.

16. The Solicitor-General.—Who were the other heralds—I—Mr. Shackleton, but he was very seldom here, and Mr. Bennett-Goldney.

17. Mr. Bennett-Goldney was appointed in succession to Mr. Blake, I believe—I—He was.

18. In the early part of the year—I—Yes.

19. Now, who else was there, was there a Mr. Horlock—I—Yes; Mr. Horlock was clerk to Sir Arthur Vivers. Stover was the office messenger.

20. Then I understand there was an office cleaner—I—Yes.

21. What was her name—I—I think her name was Mrs. Farrell.

22. Does that exhaust the entire staff—I—Yes.

23. Prior to Mr. Goldney's appointment Blake filled his office, and, of course, had similar duties—I—Yes; Blake was here every day.

24. When was Mr. Shackleton appointed—I—The same time as Mr. Goldney.

25. That is when—I—in the commencement of 1907.

26. When was Mr. Horlock appointed—I—at the same time.

27. Is in the early part of 1907—I—Yes.

28. So that the officials in the office during the year 1907, save the early part of the year 1907, were those you have mentioned—I—Yes.

29. Now, you have told me that it was your duty to attend here pretty regularly—I—Yes.

30. And you did so practically from day to day—I—Yes.

31. And the same applies to Sir Arthur Vivers—I—Yes.

32. As regards Mr. Mahony, the Cork Herald, was he in attendance from day to day—I—No; he was away for a considerable time in the early part of the year—in May. I think he was away during the month of May.

33. Was he away all through the month of June as well, as far as you know—I—No; I am not quite certain, but he was, part of June. I think in the early part of June he was away. He came back some time in June, I think.

34. You do not seem to know particularly—I—No; I do not. I do not remember.

35. Tell me, as regards Mr. Shackleton, are you in a position to state when last he was in the office?—I think he was last in the office about the first week in June as well as I remember.

36. During the year 1897 was he there much or little?—Very little.

37. And the last time he was here, I understand, was in the early part of June?—I think so.

38. In the case of Mr. Bennett-Goldney, when last was he in the office according to your recollection?—Well, of course, they were both in the office.

39. That is after the loss of the jewels, but I am talking of prior to the loss of the jewels?—Mr. Bennett-Goldney came over here for the opening of the Exhibition, and I think he was here on two or three days in the office.

40. What period was that?—That was in May.

41. Early in May, the 5th of May?—Yes.

42. And is your statement that between that and the extraction of the jewels he was not here?—No; I did not see him.

43. Now, Mr. Harlock, who was Sir Arthur Vicars' clerk, you have told us, of course, was here from day to day?—Yes; I think he was here every day.

44. Is any book kept in the office showing the attendance of officials?—No; not showing the attendance of officials. There is not.

45. There is not. Is there any book kept in the office showing the persons who come here?—Yes.

46. Have you got that book?—I have not.

47. Who has the custody of it?—Well, it is kept in the messenger's room.

48. But it is available, you know?—I suppose it is. CHAIRMAN.—What is that book?

The Solicitor-General.—A book showing the attendance of visitors in the office. (To Mr. Harlock)—I should like to get it if you have it.

(Mr. Harlock goes to inquire for the book and returns.)

49. Now, you can tell us, Mr. Burtchell, generally, what the structure of the office is. As we know, the present room we are sitting in is the library of the office?—Yes.

50. And you are the sole?—Yes.

51. Is it that the safe in which, to your knowledge, the insignia of the Grand Master were deposited?—Yes.

52. And also some at least of the collars and badges of the Knights Companion?—Yes.

53. But this, of course, we know, is not the strong room?—No.

54. Is there, as a matter of fact, a strong room in the office?—There is.

55. Where is that situated?—It is situated there opposite that door. The strong room is opposite that door (pointing to one of the entrances to the library, that is to the right hand of the Commissaries).

The Commissaries having proceeded to inspect the strong room and having returned, the Visitors' Book was handed by the secretary to the witness and the examination was resumed.

56-57. The Solicitor-General.—Now, I understand that the strong room is without this one end and is divided from it by the passage?—Yes.

58. What office are there on the ground floor?—Opposite this room there is the strong room and a small room between this room and the strong room where the messenger sits.

59. A room for the messenger?—Yes.

60. Does that exhaust the offices on the ground floor?—Yes.

61. Now, as there a stairs then leading to the second story?—Yes.

62. Or floor?—Yes.

63. And what offices are there on that second floor?—A front room, Sir Arthur Vicars' room. These are three rooms there that correspond to those.

64. CHAIRMAN.—That second floor is commonly called the first floor?—The first floor. The front room is Sir Arthur Vicars'. Then there is a back room over this, which Mr. Blaikie used to sit in. I do not know who made use of it after he left. Mr. Harlock sometimes sat there. And then there is the room at the back, over the strong room, where I used to sit generally.

65. The Solicitor-General.—And was there a floor above that again?—Yes.

66. And was it occupied?—Yes; Miss Gibbon used to work in the outer room. Two of the rooms were kept for books and stationery; they were kept there; and one was occupied by Miss Gibbon.

67. There was no higher floor than that?—No.

68. Now, the office is approached, we know, by an outer door from the Castle Yard?—Yes.

69. During the office hours was that door locked or Jan. 11, 1898, not?—It was not.

70. CHAIRMAN.—Is that the door we came in by?—Yes.

71. The Solicitor-General.—The outer door was not locked, which means of course that anyone coming in there could enter?—Yes.

72. Was there any door-keeper at all to watch over it?—Oh, yes; the messenger.

73. But where did he sit?—In this room at the back. The door was opposite, always open, and nobody could come in without his seeing.

74. He had a view right down to the door?—He would see them or hear them.

75. How far was he in point of distance from the door?—He was inside that door there (pointing to the doorway on the right-hand of the Commissaries' table).

The Solicitor-General.—We might look again to clear this case for all.

(The Solicitor-General proceeds with witness and the Commissioners to examine the place).

On their return, the Solicitor-General said:

76. Now, with your permission, sir, I would ask Mr. Burtchell a few questions about what we have seen. (To Mr. Harlock).—Now, Mr. Burtchell, we have seen, under your guidance, the office?—Yes.

77. I think you were in error in saying that the messenger would have any view from where he was sitting of the entrance door at all?—Yes; that was a mistake. He could not.

78. He could not see at all, and he would be a considerable distance from it?—Yes.

79. In fact, the distance of two paces?—Yes.

80. And also from what I have seen, I put to you that the door during office hours would open by merely turning the handle?—Yes.

81. There was nothing to prevent the entrance of any stranger?—No.

82. And any stranger coming through the outer door would be practically in immediate proximity to the door leading into the office in which we are at present, and in which the insignia were placed?—Yes.

83. Now, the office of Sir Arthur Vicars, you told us, was on the first floor?—Yes.

84. Looking out into the Castle Yard?—Yes.

85. That office itself seems to be divided by the distance of a short passage from the landing of the stairs?—Yes.

86. So that coming from it a person would have first to traverse that passage?—Yes.

87. And then comes down a considerably high stairs?—Yes.

88. And having got to the foot of the stairs, would he at once within reach of this room in which the insignia were deposited?—Yes.

89. Now, as regards this room itself, this room, you said, was the library. Is not that so?—Yes.

90. Was it of the public room as it were of the office?—Yes. It was used as a waiting-room for persons who came to make inquiries here till some one would attend to them, and they were generally attended to here.

91. All visitors, all persons, coming on whatever business to the office came here as a matter of course?—Yes.

92. Into this office?—Yes.

93. And would be here sometimes unattended?—Sometimes.

94. And I suppose would be here alone unattended?—Yes.

95. And in the presence of the side containing the jewels?—Yes.

96. Now, any of the officials who might at any time come into attendance on these people would have to be someone, is not that so, from the upper floor?—Yes. I should say that I spent a great deal of time here myself on account of the books of reference being so constantly referred to; and also for referring to the manuscripts in the strong room I found it more convenient to work here than upstairs.

97. Your office, you said, was upstairs?—Yes, but I spent a great deal of time here.

98. CHAIRMAN.—Was there any bell on the door that rang the messenger's room?—Oh, yes; there is a bell at the door.

-DUNLAP.
Jan. 13, 1908.

98. But where does it ring suppose anybody comes and pulled the bell?—I am not sure whether it rings in the messenger's nose or just inside the door.

100. The Solicitor-General.—But the opening of the door itself does not sound the bell?—No.

101. CHARMAN.—But anybody who wanted to see the messenger or get to the messenger could communicate with him by ringing the bell?—Oh, yes.

102. If he was so disposed I mean?—Not a great many people did. Everyone did not know that the door was open.

103. Generally was the door of this room open—could you turn the handle of the door of this room, and walk in that door?—Yes.

104. The Solicitor-General.—So that I understand the situation was this, Stivey was the only man on the lower floor?—Yes.

105. And this present room could be reached by anyone coming in from the outer door and in through this?—Yes.

106. And that person would be then in the presence of the safe containing the jewels?—Yes. Of course there was a long table that ran down this room of considerable height, and a person coming in would not perhaps observe that the safe was there.

107. I know that there was a high table on which books would be placed?—Yes.

108. And the room while called a library was really, as you have told us, the waiting-room of the office, is not that so?—Yes.

109. Into which all members of the public who came to the office came?—Yes.

110. Now, you were aware, as a matter of fact, that the jewelled insignia were deposited in that safe?—Yes.

111. Did you know as a matter of fact yourself that Sir Arthur Vicars had on occasions shown those jewels to strangers?—Yes.

112. During the year 1907, the early part of 1907, are you aware of your own knowledge that he showed those jewels to strangers?—Yes.

113. In this room?—Yes.

114. CHARMAN.—You were present?—Yes; I was present on one occasion.

115. The Solicitor-General.—But have you on more than one occasion seen him doing so?—Not in 1907. In that year I was only present on one occasion.

116. In 1907 you saw him doing it on one occasion?—Yes.

116. But on previous occasions did you see him doing it?—Yes.

117. Were these casual visitors to the office?—No, I think they were all either friends of his own or sometimes friends of my own, generally ladies that were shown the office.

118. And sometimes men?—Sometimes men.

119. Am I right in saying that Sir Arthur Vicars was the only person who had a key of the safe?—Yes.

120. No one else in the office at all had a key at any time of the safe?—Not to my knowledge.

121. CHARMAN.—Was there only one key to the safe?—I believe there was only one key to the safe, I believe Sir Arthur Vicars has a duplicate key which was in his house.

122. The Solicitor-General.—But both keys of the safe were in his custody?—Yes, but I only saw one key.

123. CHARMAN.—I suppose we can see the key?

The Solicitor-General.—Has Sir Arthur Vicars got it?

124. Mr. Harrel, Assistant Commissioner of Police.—He has got it. There is one key of the safe, of which you can see a duplicate.

The Solicitor-General.—Where is that?

125. Mr. Harrel.—The superintendent has it.

126. The Solicitor-General (to Wilkes).—But, as I understand your statement, Mr. Burtsell, is this, that you never saw more than one key and that in the possession of Sir Arthur Vicars?—Yes.

(Duplicate key handed by Superintendent of Police to Solicitor-General.)

127. Did you understand that there was another and duplicate key also kept by Sir Arthur Vicars at his house?—Yes.

(Key handed to Chairman.)

The Solicitor-General.—That, I may tell you, is the key that was kept at his house.

CHARMAN.—Of course it is exactly the same.

(Key handed back to Superintendent.)

128. The Solicitor-General (to Wilkes).—Before I pass from this question of visitors to the Office of Arms, let me ask you a few questions. You told me a book was kept in which visitors' names were recorded?—Yes.

129. And that is the book (produced)?—That is the book.

130. CHARMAN.—And was every visitor required to write his name in the book?—No; they were chiefly the names of persons who came to the office and were admitted by Stivey; he asked their names and put them down. But suppose anyone came in with Sir Arthur Vicars or with me, and were here, and they were not here on any particular business of the office, their names were not put into the book, because they did not come into contact with Stivey at all. But if it was about any matter of business we generally told Stivey to take down the names.

131. The Solicitor-General.—This book would contain no record at all of casual visitors, is that so?—Yes.

132. Although such persons might be actually in this room where we are now; is not that so?—Yes.

133. And might be shown the jewels?—Well, possibly.

134. Is not that so?—Well, of course, I could not tell you that, because I do not know of any instance of Sir Arthur Vicars showing the jewels to anybody under those circumstances.

135. But you told me that on one occasion at least in the year 1907 you were present when he showed the jewels?—Yes.

136. What was that occasion?—That was the 27th March.

137. Is there any record at all of the visit of the persons to him then down on that date?—(If there is no record)—Yes, Mrs. Tarleton.

(Book handed to Solicitor-General.)

138. I see on that date there are entries of Mrs. Macaulay, Mrs. Tarleton, Lord Walter Fitzgerald, and Mrs. Gilbert Willis. To whom were the jewels shown?—To Mrs. and Miss Tarleton.

139. And the names of Lord Walter Fitzgerald and Mrs. Willis are of persons who were also here on that day?—Yes. I do not remember. Mrs. Macaulay came here to make some inquiry about arms at an earlier hour of the day and I saw her.

140. And on that occasion it was that Sir Arthur Vicars opened the safe?—Yes.

141. And showed the jewels?—Yes.

142. Now, on the record in the book I observe there is nothing to indicate that the jewels were shown to anyone on that day?—No.

143. Now, as to the strong room, how many keys, to your knowledge, were there for the strong room?—Sir Arthur Vicars had one and Stivey had one, and I think Mr. Mahony, the Cock Herald, had one. I am not sure of that, but I think he had.

144. CHARMAN.—Sir Arthur Vicars, Stivey, and Mr. Mahony?—Yes.

145. The Solicitor-General.—Up to a certain stage had you also one?—Yes; when we first came to this office I had a key of the strong room a short time.

146. When did you come to this office first?—What year?—I forgot. It was either in 1904 or 1905.

147. That is to, this building?—Yes.

148. You came from the Birmingham Tower?—Yes.

149. Was it as late as 1904?—Oh, yes.

150. You are not sure about the date?—I do not remember.

151. You had, you say, some time after you came here a key of the strong room?—Yes.

152. Can you tell us whether when you first came here there were only two keys of the strong room, or were there four?—That is, from the beginning?—I do not know that.

153. CHARMAN.—Was the key that you had for a time, Mr. Burtsell, transferred to one of those others?

154. The Solicitor-General.—I am just going to deal with this. (To Wilkes).—What did you do with that key that you had?—I handed it back to Sir Arthur Vicars on the occasion of my going away for a holiday. That was within the first year.

155. When you came back from the holiday did you re-acquire that key?—No.

152. Did you make any statement to Sir Arthur Vicars on the subject?—Some time afterwards I said that I had a key of the strong room. I had forgotten it, because I had on a bunch of keys at my own house one that resembled it somewhat. Then he told me that Stivey had said to him that I thought I had a key of the strong room but I had not; and I brought a key in this case that I thought was the key some days afterwards, and I found it was not a fit like it at all.

153. You said you gave the key to Sir Arthur Vicars?—Yes.

154. And what was done with it?—I do not know.

155. But you never got it back?—I never got it back.

156. CHARMAN.—What I want to know, Mr. Burroughs is, do you know whether that key was a fourth key, a distinct key from the ones that Sir Arthur Vicars, Mr. Mahony, and Stivey had?—Oh, well, Mr. Mahony was not in the office at that time, at the time I had this key I do not think anyone but Stivey and Sir Arthur Vicars had a key.

157. What I want to know is, was that key that you had in your possession one of the three keys or one of four keys?—Well, I do not know how many keys of the strong-room there were. It was one of three certainly.

158. Mr. STARRICK.—When you had one who had the others?—Stivey and Sir Arthur Vicars.

159. That accounts for three?—Yes.

160. The Solicitor-General.—Anyhow you never got it back?—No.

161. How soon after you came here did you get the key yourself?—Of the strong room?

162. Yes?—I do not remember how soon after.

163. It was some time after you came here that you got the key?—Yes, and I had it a very short time.

164. We know that certain of the insignia of the Knights Companion were deposited in the strong room?—Yes.

165. And were there other Crown jewels connected with the Order?—Yes, Ulster's coronet, and also the Sword of State and the robes were kept there, and Ulster's sceptre.

166. What else was kept in the strong room?—All those articles that I have mentioned were in a press with a glass door, to be seen; and the other things in the strong room were the manuscripts belonging to the office, and some of Sir Arthur Vicars' private genealogical manuscripts that he brought from his own house.

167. In the case of Stivey, what power had Stivey to the strong room—what function had he as the messenger in relation to the strong room?—Well, he used to open the doors in the morning and lock it up at night when he was going away.

168. I am talking of the strong room. What had Stivey to do with the strong room?—Well, he used to open it and lock it up.

169. Mr. STARRICK.—And keep it open all day?—Well, the outer door was open. There is a grill inside and that was open during the day when Stivey was there. The grill was shut when Stivey went out, but it was open during the rest of the day for either Sir Arthur Vicars, or Mr. Blake, or myself to go in and out according as we had occasion to do so.

170. The Solicitor-General.—But the offices were all upstairs?—Yes.

171. And the strong room was open all day?—But the grill was generally shut.

172. Mr. JONES.—When the messenger went out he took the precaution of shutting the grill?—Yes.

173. CHARMAN.—He did not lock the strong room door?—Not the outer door.

174. How was the grill opened?—There was a key for the grill.

175. And you had a key for the grill?—No.

176. How did you get to them?—Stivey had to open the door for me of Sir Arthur Vicars.

177. Mr. STARRICK.—Stivey had not a key of the grill?—Oh, he had.

178. CHARMAN.—As I understand, the grill was always open when Stivey was in the messenger's room?—As a rule it was.

179. It was only when he went out that he closed the grill?—As a rule that is so.

180. The Solicitor-General.—Can you give any information to the Commissioners why a messenger should be intrusted with the keys of the strong room?—I cannot tell you.

181. CHARMAN.—Did he clean out the room in the morning?

DREWS
Jes. 11 1903.

182. The Solicitor-General.—Or was there anything to clean?—Well, there was not, really.

183. In other words, so far as you can make up your mind, there was no reason in the world why he should have a key at all?—Well, I really do not see any reason. Of course I may also say here, I was a good deal in the strong room necessarily and consequently I was often there when the messenger was out, and of course the door was open then. That is, the door was open before he went out.

184. CHARMAN.—And he left it open?—It was left open, but I was in the room.

185. You mean that when you were in before he went out it was necessarily left open then?—Yes, it was left open then.

186. The Solicitor-General.—Would it be too much to ask you to show me where the grill is? (Wilson went with the Solicitor-General and the Commissioners to show the grill, and on their return the examination was resumed.)

187. The Solicitor-General.—Now, with regard to Mr. Pierce Mahony, junior, who also had a key of the strong room, what occasion had he to go to the strong room in the course of his duty?—He used to make pedigree searches there.

188. When you speak of him as Cork Herald, how often during the year, say, of the year, would he be in attendance at the office at all?—he would be away for months together.

189. In fact has visits here as Cork Herald were very occasional, were they not?—Yes, occasional.

190. And was he an unpaid officer?—Yes, an unpaid officer.

191. He came here on rare occasions, is not that so?—Well, he was here fairly constantly.

192. But he might be absent for months together?—He has been absent for at least a month at a time. He was only appointed Cork Herald at the commencement of 1907.

193. I do not know that you are right about the date, but at any rate he was only appointed Cork Herald within a short period. But I want to get from you, having regard to his position in the office as Cork Herald, an unpaid officer, who came here only on certain occasions, what was the necessity at all, according to your view, of his having a key of the strong room?—Well, I do not think there was any necessity. I was not aware that he had a key of the strong room, I may tell you, till after I heard that the jewels had been lost.

194. And you were not aware of any necessity why he should have had it?—No, I do not think so.

195. So that you have told us now you were really, as I understand, the working official of the office?—Yes.

196. And you were able to dispense with the key of the strong room?—I was, because Stivey had one as well as Sir Arthur Vicars.

197. CHARMAN.—You depended upon Stivey to open the door for you when you wanted?—Yes, or Sir Arthur Vicars.

198. But you, as the real working official of the place, had not a key, or gave it up; while the keys were kept, say by Sir Arthur Vicars, say by the messenger, and out by the Cork Herald?—I was not aware that the Cork Herald had one till afterwards.

199. I understand that there is no doubt that he had. When you speak of the Cork Herald having a key of the strong room does that also involve his having a key of the grill?—I suppose so.

200. Because one would be worthless without the other?

201. Do you know, as a matter of fact, was there more than one key for the grill, because it has been suggested, I understand, that the key of the grill was left constantly in it?—I think there was more than one key of the grill.

202. CHARMAN.—Did you ever notice whether the key of the grill was left there?—Oh, yes, I have seen a key left in the grill.

203. Mr. JONES.—And the safe locked up afterwards?—Oh, I do not know that.

204. CHARMAN.—Have you seen the strong room open, the outer door open, and the key of the grill inside?—No; I do not remember seeing it.

205. The Solicitor-General.—I think you have told us that you have seen the key left in the grill?—Both keys for instance. Stivey had a key of the

DEPUTY
JUN. 11, 1908.

strong room and a key of the grill, and they were tied together. Sometimes when he was going out I have asked him to leave the key in the grill in order that I could get into this room when he was gone out; so that he would leave it in the grill and I was able to open it.

225. CHAIRMAN.—Do I understand now, Mr. Burleigh, that Stivey went out on some errand?—Yes.

226. You were acting in this room?—Yes.

227. And if you wanted access to the strong room all you had to do was to go and turn the key in the grill and go in?—Yes.

228. The Solicitor-General.—And it was left in that condition for you?—Yes.

229. And of course you could not say how long it might be in that condition?

230. CHAIRMAN.—All the time Stivey was out.

231. Mr. STANNETT.—I think you said that Stivey had a key of the grill?—Oh, yes.

232. Mr. JOHN.—I understand that Stivey went out, leaving you in the room, and the grill of the strong room open.

233. CHAIRMAN.—Anybody could go there as well as you?—Not without my knowledge.

234. Supposing you were sitting here with that door shut (indicating the door-way on the right hand)?—But it was never shut.

235. The Solicitor-General.—Supposing you were involved here with one of those books at the high table?

236. Mr. JOHN.—You might have occasion to go to your own room upstairs during the time Stivey was out.

237. CHAIRMAN.—You do not mean that all the time you were in this room you had your eye on that door?—I could have my eye on that door when it was in that condition—when it was open. I was constantly in and out there every few minutes.

238. The Solicitor-General.—Of course we may take it for granted that Sir Arthur Vicars was the responsible officer in the command of the office?—Yes.

239. And that he was responsible for the possession by the several persons of the various keys?—Yes.

240. And you were all acting under him as under a superior officer?—Yes.

241. Mr. STANNETT.—Did Stivey shut the passage door when he went out?—Well, I could not tell you that he always shut the passage door when he went out.

242. The Solicitor-General.—Now, will you kindly tell the Commissioners about the outer door. We know that during office hours the outer door was unlocked?—Yes.

243. Of course it was not left so at night, I suppose?—No.

244. This charwoman that you speak of, Mrs. Farrell, used to come daily, used she not, to the office?—Yes, every morning.

245. Before office hours?—Before office hours.

246. Can you tell the Commission how many persons had keys which would enable them to open at any time of the night the outer door even when locked?—Well, I suppose Sir Arthur Vicars had one, Stivey had one, and Mrs. Farrell had one. And then there was a detective who used to come in here at night.

247. And do you know if Mr. Pierce Mahony had not also one?—Not to my knowledge.

248. But Sir Arthur Vicars, Stivey, Mrs. Farrell, and the detective?—Yes.

249. CHAIRMAN.—Had all keys of the outer door?—Had all keys of the outer door. Of course I had a latch key.

250. The Solicitor-General.—Would that key let you in at night?—Not when the door was locked. When the large lock was turned that would not let anyone in. I am talking of the keys of the large lock, because as far as latch-keys went, Sir Arthur Vicars had one and I had one and Stivey had one, and I am not sure whether Mr. Mahony had one or not; and I know Mr. Blaikie had one when he was here, and of course Mrs. Farrell had one and the detective had one.

251. Of course, as you say, Mrs. Farrell had one and the detective had one. Had Mrs. Farrell two keys?—She must have or she could not have got in.

252. She had a key for the latch, a latch-key?—Oh, yes.

253. And she had a key that would turn the main lock?—Yes; I suppose she had.

254. And Stivey had a latch-key and a key of the main lock?—Oh, yes; I think so.

255. And Sir Arthur Vicars ditto?—Yes.

256. And the detective ditto?—Yes.

257. And you yourself had a latch-key without a key for the main lock?—Yes.

258. And you do not know what the position exactly as regards Mr. Pierce Mahony was?—I do not.

259. Now, I want to get the position as regards that outer door at night. You speak of the main lock as being distinct from the latch lock?—Yes.

260. The main lock was put on at night?—Yes.

261. Or should have been put on at night?—Yes.

262. The main lock?—Yes, the large lock.

263. That was put on at night. Was the latch-lock at all fastened at night?—Well, it could not be fastened at night.

264. But it was shot at night?—It was shot at night. Of course it was not fastened, because that could not be done. I was usually over here when the place was locked up, so that I cannot tell.

265. CHAIRMAN.—You really do not know whether it was locked at all, except from inference?—Yes, I really do not know that, because I had generally gone away.

266. The Solicitor-General.—I want to put it to you as a matter of fact. Can you say as a matter of fact that the large lock ever put on?—No; I cannot.

267. You cannot say one way or the other?—No.

268. Do then if the large lock was not put on the only means of securing the door at night was by shooting the latch-lock?—Yes.

269. And you say that you had a latch-key that would enable you to go in there then?—Yes.

270. And then, according to your idea, Mr. Mahony had, is not that so?—Yes.

271. And then Mrs. Farrell had?—Yes.

272. And then Stivey had?—Yes.

273. And Sir Arthur Vicars had?—Yes.

274. And Detective Kerr had?—Yes.

275. So that as many as six persons had keys whereby they could open the door at night?—Yes.

276. CHAIRMAN.—That is assuming that the large lock was never on?—Well, of course the large lock was not on on the occasions when I have come in. I have, for instance, come in here to get lighters on Sunday, and I have opened the door with the latch.

277. The Solicitor-General.—With the latch-key?—Yes.

278. You imply that the large lock was not on?—Yes.

279. That is upon several occasions?—Oh, yes; I think several times. Sometimes on days the office was shut, not open to the public, I have been in here.

280. And you were able to get in by the latch-key?—Yes.

281. CHAIRMAN.—Did you ever on any of those occasions find the main lock locked?—I do not think so.

282. The Solicitor-General.—In a period of two or three years?—Yes.

283. CHAIRMAN.—Have you got any evidence at all that that door was ever locked?—I have not.

284. The Solicitor-General.—According to my information, I am satisfied it never was. (*To Witness*)—On any of the occasions when you had to come here you never found it locked at all?—I do not think so.

285. Tell me with regard to Stivey. He had a key that would enable him to open the door at any time day or night, is not that so?—Yes.

286. And he also had keys of the strong room and the grill?—Yes.

287. And the same, as far as you know, applied not merely to Sir Arthur Vicars, but also to Mr. Pierce Mahony—at least, you think so?—I think it would.

288. And Mrs. Farrell also had a key whereby she could also enter at any time of the day or night?—Yes.

289. And of course during the night there was no lock upon the door of this particular room where the insignia were?—No.

290. So that any one who had a latch key coming through the main door had nothing to prevent them coming into this room at any time of the day or night?—No.

291. And you sometimes came on Sundays for your letters, is not that so?—Yes.

292. And on days when the office was shut?—Yes.

293. And you could come at night in the same way?—I suppose I could.

294. Did you ever come, as a matter of curiosity?—No. I do remember coming back on one occasion after everyone had left the office.

225. When was that?—I think it was some time about the end of 1806 or beginning of 1807. I came back about a letter that I had left behind me, and I was able to come in on that occasion.

226. CHAIRMAN.—And everybody had left the office at that time?—Yes.

227. Including the charwoman?—Yes; there was nobody here.

228. The Solicitor-General.—The charwoman had to come here every day, is not that so?—Well, I do not know whether she was here every day or not. I believe she was.

229. And she would be here during office hours?—Not during office hours.

230. CHAIRMAN.—Nobody slept on the premises?—No.

231. The Solicitor-General.—When did Sirvey come as a rule?—What time?

232. Yes?—About 10.

233. That was some hours after the charwoman had arrived?—Yes.

234. At any rate it was his duty to come here at 10?—Yes.

235. What need was there for you to have a latchkey, or was there any?—Well, it was only, for instance, that when Sirvey was set I was able to come in here by opening the door.

236. When was Sirvey set—he must be in attendance here at 10 in the morning, and your office hours do not begin till 11, does what requirement was there for you to have a latchkey at all?—Well, there was none.

237. Now take the case of the Cork Herald, Mr. Pierce Mahon, who was here only on rare occasions, what occasion was there for him to have a latchkey?—I do not know.

238. CHAIRMAN.—But you found it very useful on Sundays?—I did on those occasions. In the old office there were no latchkeys.

239. And you could not get in when the office was closed, in the old office?—No; at least I could not.

240. The Solicitor-General.—So that it really came to pass that all these people you speak of had practically free access to the place, is not that so?—That is so.

241. Tell me, you remember, of course, the day on which it was discovered that the jewels were gone?—Yes.

242. That was Saturday, the 6th of July?—Yes, that was on a Saturday, I think the 6th.

243. Do you remember—of course you do very well?—the Wednesday preceding that?—Yes.

244. That was the 3rd of July. Were you in the office on that 3rd of July?—I was.

245. Do you remember hearing, Mr. Burtsell, that day, the 3rd of July, that when Mrs. Farrell came in the morning to clean the office she found the outer door unlocked?—No.

246. You did not hear it, then?—No, I never heard anything about it till the following Tuesday.

247. You remember then the Saturday on which it was found that the jewels had gone?—Yes.

248. You were here, were you, that day?—I was.

249. What time of the day did you hear that the jewels had gone?—That was about half-past three. I was just going away.

250. About my question with regard to the Wednesday?—

251. CHAIRMAN.—If Mr. Burtsell does not know, would it not be better to get it from another witness?

252. The Solicitor-General.—Perhaps he misunderstood me. (To Witness.)—Did you hear on the Wednesday that the outer door of the office was found unlocked?—No.

253. Then I pass from that. On the Saturday, about half-past three o'clock, you first heard that the jewels were gone?—Yes, I was told by Sir Arthur Vivers.

254. What did he tell you, and where did he say you?—In my own room. I was just preparing to go away when he came up and told me that a dreadful thing had happened. I thought when he told me at first that it was something that had happened to the King about his visit to this country, and then he told me that the safe had been opened and that the collars and jewels had been all taken out and taken away. I said it was a dreadful thing, and he told me to say nothing at all about it, and I asked him had he told the police, and he said that he sent a message to Sir John Ross or Mr. Harrel, and then he asked me did I remember when the safe was opened last,

and I said I did not, and he asked me had he shown the jewels to Dr. Finney, when he was here, and I said not to my knowledge. So far as I know I was in the room with Dr. Finney nearly the whole time he was here, and he left the office before I did, and the safe was not opened during that time.

255. CHAIRMAN.—What was the date of Dr. Finney's visit?—I think it was the 29th of June. I am not quite certain.

256. Well, you had not seen the jewels shown to Dr. Finney?—No. In fact I know they were not, because he was up in Sir Arthur Vivers' own room, and then he came down here, and I was here the whole time he was here, and Sir Arthur Vivers was not here, and the safe was not opened,

257. The Solicitor-General.—Tuesday was the 25th of June?—Yes.

258. Sir Arthur Vivers asked you did you remember his having shown the jewels to Dr. Finney?—He was also here on the 26th, but it was either of these days.

259. CHAIRMAN.—What did Sir Arthur Vivers ask you about Dr. Finney?—Whether I remembered if he had shown the jewels to Dr. Finney, and I said that he had not to my knowledge.

260. The Solicitor-General.—What did he say to that?—Then he asked me had he shown them to Mr. Hodgson, and I said I believed he had, because when I came in here they were talking about them, but I had not seen them, and I had not observed whether the safe was open or shut at the time, or whether he had taken them out, but at any rate I did not see them on that occasion, or I was not there.

261. CHAIRMAN.—What was the date of Mr. Hodgson's visit?—I think it was the 13th of June.

262. But you did not see the jewels shown on that occasion?—I did not.

263. But you were under the impression that they had been shown—I was under the impression that they had been shown.

264. The Solicitor-General.—What did Sir Arthur Vivers say?—I said, "Why don't you wire to them if you have any doubt about it? Why don't you wire to Dr. Finney and also wire to Mr. Hodgson to find out?" Well, he said that he did not want the thing to be known. I said that that did not make the slightest matter, to send a wire through the Post Office and ask this question, had he shown the jewels on a certain day, that there would be no harm in sending a thing of the kind.

265. Yes?—And then he said that he would tell the police, and I said, "Of course, you have told the police."

266. What did he then say to that?—He said that he had sent a message for Sir John Ross or Mr. Harrel, and I said, "You ought to send to the Detective Office at once; the sooner this is known to the police the better." Well, he did send a message then.

267. Well?—Well, I came downstairs then.

268. Was that all the conversation?—That was all the conversation.

269. CHAIRMAN.—Is the Detective Office in the Castle?—Close to the Castle.

270. The Solicitor-General.—Did he make any suggestion to you then as to how the thing could have been done?—No. I asked him when he had discovered it, and he said very shortly before he told me. He said that he had given the key of the safe to Sirvey to go down and open it. There was a collar belonging to Lord de Ros, who had died. It had been sent back, and it was sent to West's to be cleaned. I understand, which is the usual course when the collars of Knights have been retained, and it had come back from West's that morning, and it was on the table in his room, for I assume this collar was delivered at an earlier hour of the day, and he said that he handed the key of the safe to Sirvey and told him to open the safe, and he came down immediately afterwards with the collar-box containing the collar in his hands, then Sirvey told him that he had found when he put the key in that it would not work, and then he tried it in the other hole and he found that the safe was unlocked; he was able to lock it and then unlock it. And so when he opened the safe then he found that it had been opened, and found on opening the box in which the diamonds were, that they were gone, and then he examined the collar-boxes and he found that all the collars were

DUNBAR.
JUN 11, 1868.

BEST.
Jan. 15, 1898.

320. Did he make any suggestion to you, Mr. Burtschell, as to how this robbery had occurred?—He said that burglars had broken into the office.

321. Mr. JONES.—What time of the day does the witness state that this conversation took place between him and Sir Arthur Vicars?

322. The Solicitor-General.—About half-past three?—About half-past three.

323. He said burglars had broken into the office?—Yes.

324. Did you ask was there any trace at all of a forcible entry into the office?—I do not remember that I did.

325. Or did he ask you, or did you make any suggestion to him as to how a burglar could have got a key to come in through the door, and then a key to open the safe?—I do not think I did. I asked was there any trace of how the safe had been opened.

326. And what did he say to that?—He said that there was not.

327. But that it was burglars did it?—Yes. And afterwards he said they had been at the strong room. Some time after we came down here he said "He was at the strong room also."

328. He said "he"?—The burglar.

329. Was at the strong room also?—Yes.

330. What was that an allusion to?—I do not know, though I thought that he had found some marks about the lock of the strong room door as if some one had been endeavouring to open it.

331. Do you know that that morning the strong room door was found open?—No.

332. You did not know anything at all of that?—No; I heard nothing about that.

333. Sir Arthur Vicars said to you "He has been at the strong room door also"?—Yes.

334. And did he indicate what he meant by that?—No.

335. Mr. JONES.—Had you been in the strong room that morning yourself?—No; I do not think so. I have no recollection of having been in the place that day.

336. The Solicitor-General.—But you did not observe any trace of forcible entry?—No trace.

337. Or that anybody who entered came otherwise than through the door?—No.

338. Did you see the safe?—Oh, yes; I did.

339. Did you see anything to indicate a forcible opening of the safe?—No.

340. Or anything to indicate that it was opened otherwise than by a key?—No.

341. COUNSELLOR.—When Sir Arthur Vicars said "He had been at the strong room also," did you go to look at the strong room then?—No.

342. The Solicitor-General.—Now, you told us that Lord de Ros had died some time before that?—Yes.

343. And that his collar was to be returned to the office?—Yes.

344. It had first been sent to Mr. West's to be cleaned?—So I understand.

345. As well as to have a name engraved on it?—I do not know.

346. That collar, as I understand, was brought from West's to the office on that Saturday, the 6th of July?—Yes.

347. You told us that you saw the collar that day?—I saw the box.

348. Where was it that you saw it?—On the table in Sir A. Vicars' room.

349. About what time did you see it?—I should say about one o'clock.

350. And did you make an observation about it to Sir A. Vicars?—Yes; I asked whose collar is this?

351. And what did he say?—He said "It is Lord de Ros's."

352. Was anything else said about it?—No.

353. And that was the collar, as I understand from you, that Sir A. Vicars said he gave Stivey to put in the safe?—No; he gave Stivey the key to open the safe and then came down, as I understood, immediately afterwards with the collar box.

354. I merely want to get from you what Sir A. Vicars told you about it. What did he say he had asked Stivey to do?—He had asked Stivey to open the safe.

355. Well?—And he came down immediately afterwards with the collar box, carrying the collar box.

356. CHAMBERS.— Himself?—Yes, he himself.

357. The Solicitor-General.—Are you distinct on that?—Yes, that is what he told me, as well as I remember.

358. How large is one of those collar boxes?—A wooden box.

359. What would be the need of Sir A. Vicars to give Stivey the key to open the safe, as it were, in preparation for his coming?—could he not have come down with the collar box and himself put it in; was there anything that made that necessary?—Well, I do not think that there was anything.

Mr. JONES.—About this key that Sir A. Vicars has got, can you get from this witness how he knows that that key was kept by Sir A. Vicars?

360. The Solicitor-General.—How do you know?—I was told so by Sir A. Vicars.

361. Tell us what he told you on that subject?—He told me that there was no other key except the duplicate key that he had in his own house. He told me this after the discovery was made that the jewels were gone. He may have told me on some other occasion, but I never spoke to him about the key of the safe.

362. He told you on that occasion?—Yes.

363. That there was no other key of the safe except that kept in his own house?—Yes; he said it was hidden in his own house.

364. Mr. JONES.—Did he say where he had hid it?—On, no.

365. The Solicitor-General.—You told us, Mr. Burtschell, that he said to you "He was at the strong room door also"?—Yes.

366. Meaning that the burglar was at the strong room?—Yes.

367. That was the impression made on your mind?—Yes. I supposed that some marks had been found.

368. Were you present that day when Sir A. Vicars was giving an account of the occurrence to the police?—I was.

369. Did you observe whether or not on that occasion he said anything to the police about the strong room?—I do not remember.

370. You do not remember that he said anything?—I do not remember.

371. Is it your recollection that he did or did not say anything?—I do not remember whether the police were here at the time.

372. But on the occasion when afterwards he was making a statement to the police about the transaction, did he, according to your recollection, say anything to the police about the strong room?—I do not remember.

373. Is it that you do not remember whether he did or not?—I do not remember whether he did or not.

374. CHAMBERS.—Mr. Burtschell, have you ever been present when one of these returned jewels was replaced in the safe?—I may have been. I do not remember.

375. You have no distinct recollection?—No.

376. You cannot tell us how it was done upon any occasion when you were present?—No, I cannot.

377. Whom was the hand that replaced it?—Well, Sir A. Vicars, I understand, always himself went there and put them in himself.

378. You do not know whether it was his custom to go down himself and himself open the safe for the purpose of replacing the jewel?—Well, I was always under the impression that it was.

379. You had never known, of course, of that being done on any previous occasion?—I did on one occasion, in the old office, very soon after the safe came. He handed the key to me on that occasion to open the safe.

380. And was he present when you opened the safe?—No; he was up in his own room. Just above. There was a short staircase.

381. You opened the safe and had it open for him when he came down?—Yes.

382. And then he brought down the jewel himself?—Yes.

383. And those are the only two occasions you remember—I mean that that and this case of Stivey are the only occasions that you know of?—The only two occasions I know of, because on all other occasions I saw the safe open it was opened, looked and unlocked by him.

384. By his own hand?—Yes.

385. Mr. STRAKER.—Did Sir A. Vicars give you any idea of when he heard that the strong room had been interfered with?—No; it was not for some days afterwards.

386. Did you hear it from him?—About the strong room?

356. About the strong room having been interfered with?—No, I think it was from Mr. Mahoney. I think it was on the following Tuesday that I heard both about the outer door having been found open on the Wednesday and the strong room having been found open on the Saturday. I did not hear of it till the Tuesday afterwards.

357. Mr. Justice.—You told us just now that Sir A. Vicars came up to you and said, "a dreadful thing has happened?"—He did.

358. "And he has been at the strong room, too?"—Not then. That was after we came down.

359. Chairman.—I understand you came down with Sir Arthur Vicars and saw the safe for yourself?—Yes.

360. And the state it was in?—Yes. When he said "He has been at the strong room, too," he had gone to the strong room door with Stivey. As well as I

remember they were both there then and he said, "He was at the strong room, too."

361. And you thought from that observation that they had found traces of a burglar there?—Yes, that is what I understood.

362. Mr. STAKER.—Do you know anything of the duties of the detective who comes here at night?—No; I do not.

363. You have no personal knowledge?—No. I know that on two occasions, when I came in here when the office was shut, he either heard me coming in or saw me coming in, because he comes in to see who is here.

364. Where did he come from?—I do not know, but I think one day, on Sunday, or some day when I was here, he came here to see who it was that was in the office. I had come here to look for letters.

Mrs. MARY FARRELL examined by the Solicitor-General.

365. You, I believe, have been the office-cleaner for the last four years?—Yes.

366. I believe at first when you became cleaner the office was situated in the Birmingham Tower?—Yes.

367. That was so, I understand, for a couple of months after you became cleaner?—Yes, about that time.

368. And then you came up here?—Yes.

369. Now, in winter, what time do you come here to the office in the mornings to clean?—Well, sometimes at seven or half-past seven. Later in summer.

370. In summer what time do you come?—I am generally before eight in the morning.

371. When you come here you find, I suppose, as a rule, the outer door locked, do you?—Always, sir.

372. How do you open it in order to get in?—With a latch key. I turn the lower handle and turn the latch key and open the latch.

373. You turn the handle of the door?—Yes, the brass handle.

374. And then turn the latch, and that opens the door?—Yes.

375. CHAIRMAN.—There is no other lock?—No, sir.

376. And you have only one key?—Only one key.

377. The Solicitor-General.—Has that been the state of affairs since you have been here?—Yes.

378. When you come it is your duty to clean the various rooms in the house?—Every room in the house.

379. As a rule, how long does that occupy?—I am often in the mornings now till half-past ten or sometimes near eleven. Of course, I come in—the morning I come in a little after seven.

380. When, about, is your work finished?—I try to be out before half-past ten, if I can, or before ten sometimes. Of course it all depends on the time. It all depends on what I do. Some days I do more than others.

381. Who is the first then to come to the office, as a rule?—Mr. Stivey.

382. He is the messenger?—Was.

383. And then the officials come later, about 11?—Often between 11, often half-past 9 or 10, but I think they are generally in before 11.

384. But in the usual course Stivey is the one to come after you?—Yes, sir.

385. Now, you have had this latch key for the last three or four years?—Yes, sir.

386. Do you take it home?—Always with me.

387. You had no other key at all connected with the premises?—No, sir; no other key.

388. And your husband, as I understand, is dead; is not that so?—Yes.

389. And you have got three sons—James, Richard and Patrick?—Yes.

390. Aged 21, 19 and 18 years?—Yes, that is about the ages.

391. Now, used your sons to have any recourse at all to the office?—They would come to carry coal; to find the oldest boy, and then when he had to go to work at seven in the morning I brought the other boys, because James had to go at seven in the morning to work, and then I brought Dick and Patrick in their turn.

392. What time?—When I came in myself. I opened the door, and then I left them to get breakfast.

393. You came and opened the door and then your boys would go and bring the coal into the office?—Yes, carry the coal and shake the mats for me.

394. And then during that time you and your boys would have, practically, the whole place to yourselves?—Oh, yes.

395. And the door of this place was open all that time?—Yes, last the boys had no business in the office except to leave the coal, and they generally left that outside on the landing, and I would not allow them in for fear of dirtying the place.

396. CHAIRMAN.—They did not come here when you had no fire?—No, sir. They might come one morning in the week to carry the Corporation buckets for me.

397. Mr. STAKER.—Or shake the mats for you?—Yes. I shake them myself.

398. CHAIRMAN.—It was for the purpose of carrying coal that they came?—Yes.

399. The Solicitor-General.—In the summer season what did they come for?—Except to carry up the Corporation bucket. The Corporation bucket was downstairs, and I would sometimes bring one in to bring up the bucket and leave it outside and go on.

400. Tell me. You remember the time when the jewels were found to have been gone. Can you tell me whether your boys, either of them, had been about the place about that time at all?—Never only to carry coal.

401. But how long before that had any of your boys been there?—That week was Pat's week. He was in that week. He was in on the Wednesday morning.

402. CHAIRMAN.—Before the jewels were lost?—Before they were lost.

403. The Solicitor-General.—What did he come for?—To carry up the Corporation bucket.

404. And what did he do when that was done?—Nothing, but he might have shaken mats, but I am not sure whether he did shake mats or not.

405. That gives us a general idea of what the general arrangement was?—Yes.

406. Do you remember a good many months before it was found that the jewels were lost being here one day in the office and seeing any strange gentleman arrive?—I do, sir.

407. How long ago was that?—Well, I would expect it was in the spring. I think it was about four or five months or perhaps six months.

408. Before the jewels were gone?—Yes. I could not say for certain but I expect it was in the spring.

409. Where were you at that time when the gentleman arrived in the office?—Well, I can't be positive about that yet, but I was up on the stairs here at the time of coming down into the hall.

410. What did you see?—He came in here and opened the door, and he said to me, like, "It's all right," or something like that, and I looked at him and the sun was in my sight, and he, like, stopped there at the end of that desk, and I did not like it. I did not know whether he was a gentleman connected with the office or not, and he apparently came down to this end as if it were a note, and he then went out again, and he nodded to me, and I thought he was some gentleman connected with the office, and then I came to see if there was a note on that table, and there was no note.

Draugh.
Jea. 11, 1905

442. What time was that?—That was about ten.
 443. Was it before any of the officials arrived?—
 Yes,
 442. Before Stivey arrived?—Yes.
 443. CHAIRMAN.—Was there anybody in the place but yourself?—Nobody but myself.
 444. The Solicitor-General.—How did that person get in. He must have had a key. That was why I mentioned it to Stivey. I waited till Stivey came, and told him and then he said he would tell Sir Arthur Vicars.

445. You told it to Stivey, and Stivey said he would tell Sir Arthur Vicars?—Yes.

446. CHAIRMAN.—What did the man say?—I think he said when he came in "all right." I think I was half ways on the stairs at the time, and he just nodded, like, and I think he said "all right" as well as I can remember.

447. Was that addressed to you?—Yes sir, as I looked at him.

448. The Solicitor-General.—Was that gentleman any of the officials of the office?—That is what I can't make out. I did not know him apparently.

449. Can you identify him now?—No, sir.

450. Was he any of the officials?—Well, I don't think any of them that I knew at the time.

451. Mr. Jones.—Do you know the detective?—I do, sir; but I have never seen Mr. Goldfinch. That is the new gentleman.

452. The Solicitor-General.—But you have not been able to identify that man as one of the officials that you knew. Not any that I knew, and the sun was in my eye, and I did not like to come down to look at him.

453. That was four months before the discovery of the robbery?—Four or six months.

454. And you told it to Stivey?—That day.

455. CHAIRMAN.—But he had gone out before Stivey came in?—Yes, he only stopped a few minutes.

456. The Solicitor-General.—Did you see what he was doing in this office?—No, I did not. I was always very anxious. I listened on the stairs and I did not like to go on with my work, and I did not like to ask questions, but he came down to that table across there.

457. Where were you standing when he was here?—As well as I remember, on the stairs. I think I was at Mr. Burtsell's door, and the sun was in my eye, and I did not like to come into the room after him.

458. Now, you remember this Wednesday morning before the jewels were found to have been gone?—Yes.

459. The 3rd July. Did you come here in the ordinary course?—Yes.

460. What hour?—Between 7 and 8. I do not say for certain, but between 7 and 8.

461. What did you discover when you came to open the door?—When I put my latchkey in the door the latchkey did not turn in the door, and the door opened, and then I saw that the catch was back.

462. When the catch is back, as you say, the key cannot work?—No.

463. And finding that the key would not work, how did you come in?—I had hold of the handle.

464. And you simply turned the handle and walked in?—I turned the handle and walked in.

465. Did you report that fact?—I did, sir.

466. To whom?—To Mr. Stivey when he came in.

467. Now, that was on the Wednesday?—Yes.

468. You remember Saturday morning, the day the discovery was made?—Yes.

469. You came, I suppose, at the usual time?—Yes.

470. What time, about?—Well, it might be a little earlier than that, it was between 7 and 8.

471. And on that occasion did you use your key to come in?—Yes.

471. And in due course did you get in the vicinity of the strong room?—When I came in always I used generally to go into Stivey, the messenger's room, because there were always tradesmen wanting to go forward and backward, and I was told not to let them in unless there was a note left for me by Sir Arthur. So I was going straight into Stivey's room, and I would have to pass the strong room door, and when I was passing by I saw the door partly open.

472. Is that the door of the strong room?—Yes, because I always went in to see if there would be a note there.

473. To what extent was it open can you tell the Commission?—Well, there is a piece of oil-cloth cut away just about half way, as much as I could get in sideways. It was not exactly half-way open.

(Witness illustrates her statement by partially opening the door of the Library.)

474. Anyhow it was open in that way in or about to the extent that you have shown?—Yes.

475. Did you observe whether or not the grill was open at the time?—No; that was locked and the key stuck in it. At least I think it was locked.

476. CHAIRMAN.—But are you sure about the key?—Oh, I am sure about the key. But I had never got it open before. I was frightened, and I did not know how to tell Stivey. I did not know what mark I would leave to make him see it was open, and I was going to leave a piece of paper, and then I did not, because if I left that on his table and banged the door I thought he might think that it was not open.

477. The Solicitor-General.—You said you observed the key in the grill?—Yes.

478. Was it one key or two keys?—I think two keys on a little cord, two keys.

479. They were in the grill?—They were stuck in the grill.

480. Are you sure that there were two?—I am not sure there were two, but I was so frightened I did not look much to see. I was afraid to go into the room for fear there would be marks or anything. I felt frightened. I did not want to be the first that got it open.

481. And did you take the keys out of the grill?—Yes, and left them on Stivey's table on the blotter.

482. And then you closed the strong room door to?—Yes, clapped it.

483. And then put the keys on Stivey's blotting pad?—Yes, I was afraid any messenger might come in at any time and see it open.

484. Did you write a note to Stivey to tell him that?—Now, I am not quite sure, I believe I wrote on a bit of paper. It is so far gone now I do not know what I wrote on, but I think I tore it off the blotter.

485. CHAIRMAN.—You did not wait till Stivey came in?—No; I don't think I waited that day, but I think I just left the keys on a little bit of paper.

486. What did you say on the paper?—To say I got the strong room door open, and I took the keys out. Something like that. Just a couple of words. I do not think I waited that day. I waited for a long time, for a good bit, and he did not come in.

487. The Solicitor-General.—You waited for him, you remember, or did you wait for him, on the previous Wednesday morning? Did you wait for him?—Yes, sir, I did. I am certain of that.

488. How was it you did not wait for him this morning?—I waited a while, and he did not come in, and I am almost sure I left a note, and I think he said he tore up the bit of paper and did not keep it.

489. And you left a note for him with the keys on his table?—Yes, and I told him all about it the next time when he came in. I didn't come till Monday then.

490. And you told him then about it?—Yes.

Mr. WILLIAM SUTHER examined by the Solicitor-General.

491. I believe you were a messenger in this office from the year 1900?—From April, 1901, till the 12th of October last.

492. CHAIRMAN.—1901 you began?—1901 till October last.

493. The Solicitor-General.—At first your employer was in the Tower?—Yes.

494. And then you came up here?—Yes.

495. You left on the 22nd of October?—The 12th of October last.

496. And where are you now?—I am at present in the Wesleyan Soldiers' Home, Newbridge, Co. Kildare.

497. Your business here in this office was that of messenger?—Yes.

Drugs.
JUN 22 1906

428. And may I ask what was your salary here?—My salary here commences with 25 shillings a week, which increased by a shilling a year till I reached 31 shillings a week, which was the highest salary I got.

429. You had been a pensioner of the army—and a pensioner of the navy.

430. What were your duties in the office, what had you to do here?—Well, my duties were pretty general, from answering the hall door and, of course, attending the people who might call and, of course, showing them up to Sir Arthur Vivers and things of that kind, and almost entire charge, and my room was next the strong room door, and there was an understanding that I was to allow nobody except Sir Arthur Vivers or staff, authorized persons to pass in or out of the strong room.

431. In relation to the strong room itself, what duties had you about the strong room?—No other duties except to take books out and put them back if ordered to do so, and, as I said just now, to allow no unauthorized persons to enter.

432. To take out books, is that for the officials?—For the officials of the office. There is a telephone there that communicates with the room upstairs. Sir Arthur Vivers or one of the other gentlemen might ring up the telephone and say to me, "Bring up pedigree as and so," or any other book in the strong room.

433. A telephone communicating with you in the little room?—The telephone is outside my room and close to it, within three or four yards, and I would hear the bell of it. That is the telephone there (*Witness points to telephone in doorway at right hand of the Commissioner*).

434. Thus would ring you up?—That would ring me up, and then I came from my room and answered. That door was almost invariably, always open, and I could hear that bell very easily, and then, of course, I might be ordered to bring a certain book.

435. And you would go to the strong room and get the book and bring it up, and in order to facilitate your doing that you had a strong room key?—I carried a strong room key always. Sir Arthur Vivers used me to take a key of the strong room, and that key I carried up to the time I left.

436. When you came into this office you got a key from him?—From Sir Arthur Vivers.

437. What did he say to you when he gave it to you?—Sir Arthur Vivers asked me—he more asked me than ordered me—it would carry a key of the strong room. He had four keys and he liked me to have one. I thought the master out, as it was a great responsibility for a man in my position, but as Sir Arthur Vivers was putting that trust in me to entrust me with a key of the strong room I consented to take it, and, as I said, I always carried that key then till the time that I left this office.

438. He actually put it to you to know whether you would carry it?—Yes.

439. And you took time to consider that?—Well, I had time to consider it, because Sir Arthur Vivers told me before getting the keys from the safe-makers. He said me then if I would take a key, and as it was some time after, I don't remember how long, it might be a week or two days or two weeks before those keys were actually delivered, so I had that time to consider and so took that course, the key being actually handed me if I felt inclined to do so. I might have said, "Well, Sir Arthur Vivers, considering the responsibility, I would rather not take this key." But I did not do that.

440. CHAIRMAN.—You took the key?—I took the key.

441. The Solicitor-General.—How many keys of the strong room were there as far as you know at first when you came up here?—Four.

442. You told us it took some time to get the keys?—From the makers.

443. There were four?—Four keys.

444. Did he tell you he was getting four keys?—Oh, yes; Sir Arthur Vivers told me he was getting four keys.

445. And to know whether you would take one?—That he would like me to carry a key if I would take it. I said yes.

446. But did he tell you at all why he would like you to carry a key?—I do not remember any other reason than that.

447. But what reason was there at all, as far as you knew, for your carrying a key?—No reason, except that Sir Arthur Vivers wanted me to carry a key.

448. CHAIRMAN.—You told us that you had occasion to go in and out of this strong room for manuscripts and other things to send up to the other room, and that you could not get in without a key?—The key of the strong room that I am speaking of now is the key of the outer door that was opened in the morning when the place was opened, and that outer door was opened in the morning, and was not closed again till night, and in my passing in and out of the strong room doing my daily duty I did not require a key.

449. But you required a key of the grill?—The key of the grill was left in the lock when the grill was open.

450. You mean when the outer door was open?—Yes, but understand the grill was left open while we were there in the room.

451. The grill was open?—And the door. The strong room door was open.

452. This morning till night?—As long as I was there. If I was sent out on a message anywhere then I closed the grill, not the outer door of the strong room, but I closed the grill, and the key was kept in a certain place that was known to the officials, so that a stranger would find that grill locked, and he would not know where the key was.

453. The Solicitor-General.—Where was the key kept?—Am I to answer that question where it was kept?

454. Tell us where it was kept when you were out. I understand that the strong room door would be itself open?—Yes.

455. But the grill would be shut?—Yes.

456. Where was the key of the grill during that time?—I suppose there is no objection to my disclosing the place. It was kept in the table drawer in my own room.

457. CHAIRMAN.—And that table drawer was not locked?—Not locked.

458. The Solicitor-General.—You used to go on messages from the office, I suppose you would be away for hours—I never would be away that time. The message I would be sent on would be perhaps to the Post Office in Banco-street or to the Telegraph Office in the Chief Secretary's Office.

459. But you would be away some time?—Sometimes I might be away ten minutes or a quarter of an hour.

460. But you would go out for your dinner?—Yes, I went home for my dinner.

461. While you were absent for your dinner, for that hour the position of affairs was thus: the strong room door open but the grill locked?—The grill locked.

462. And the key of the grill in the drawer of your table?—That is right.

463. CHAIRMAN.—Did you ever leave the key of the grill in the grill?—Not on going out.

464. The Solicitor-General.—As I understand, the position of the key of the grill was known to all the officials.

465. CHAIRMAN.—Did it ever happen that when you were out Mr. Burtschall had occasion to get a book in that strong room?—I have gone out and left that grill open. Mr. Burtschall or some other official was in the strong room and I could not shut him in. I remember on one occasion closing the door, but Mr. Burtschall called out to me, "You have shut me in."

466. Did it ever happen that when Mr. Burtschall was sitting in this room at work and you went out, and for his convenience, that he might have easy access to the strong room, you left the key in the grill, so that he could turn the key at any time?—I have no recollection of doing so, because Mr. Burtschall would know well where I put the key.

467. The Solicitor-General.—Pardon me for going over it again, because it is a very critical matter. As I understand, even taking the occasions when you went away for dinner, which might occupy an hour?—Yes.

468. You would leave the strong room door still open?—Yes.

469. The grill, however, would be locked; is not that so?—Yes.

470. But the key of the grill would be left in the drawer of your table?—Yes.

471. And all the officials in the house knew where that key was kept?—Yes.

472. In the drawer of your table?—In the drawer of my table.

DUBLIN.

Jan. 13, 1908.

543. While you would be away, as you say, at dinner or on a message, was there anyone on this ground floor at all to take your place?—No.

544. And the position of the officials ordinarily was upstairs; their rooms are upstairs?—Some rooms are upstairs.

545. Of course they would from time to time be down here?—This room was used very much.

546. But now I take your dinner hour. What time ordinarily was your dinner hour?—Usually from half-past twelve to half-past one, sometimes, but that was my general hour.

547. Now I want to put this to you. Supposing any man came to the house and went to your drawer where the key was in your absence, the key of the grill, while you were away, let us say, for an hour, was there anything that you know to prevent that man going to the grill and into the strong room in your absence?—If he got as far as my table drawer and took the key out I do not think there could be anything possible to prevent him.

548. And there would be nobody here to have an opportunity of seeing him coming in unless one of the officials chanced to be on the ground floor?—Not so far as I know.

549. Now, tell me, where did you keep, as a rule, the key of the strong room door?—In my trouser pocket.

550. Now, when you opened the outer strong room door in the morning did you withdraw the key?—Always.

551. And did you put it back into your trouser pocket?—Always. That key was on a ring with a key which I had belonging to the outer door, the hall-door; so I would have the key out of the lock, for I wanted to pass in and out of that door.

552. Where did you keep the key of the grill?—The key of the grill I never carried on my person till after this robbery had taken place.

553. In other words was not that always kept in the grill lock itself?—The key of the grill was always in the lock of the grill or in the table drawer mentioned, except when the strong room was closed at night, and then the key of the grill was left in the lock, and the outer door closed and locked.

554. Now, the position then is this. First of all, at night the key of the grill was left in the grill lock?—In the grill lock.

555. But the outer door of the strong room, of course, was locked?—Was locked.

556. Leaving the key in the grill?—Leaving the key of the grill practically locked up in the strong room.

557. Surely, and had been left where you told us it was, in the lock of the grill?—Yes.

558. And you came in the morning and opened the outer door?—You are speaking of the strong room, I suppose.

559. Yes. You opened the outer door, and the key of the grill remained still in the grill lock till you would remove it on the occasion of putting it into the drawer of your table?—Exactly.

560. And that process you went through only when you were leaving the premises?—Unless in the morning if I had occasion to go upstairs I closed the grill and put the key in the drawer of the table for my own safety.

561. I merely want to get the practice. During the day, as long as you were in your room, at any rate, the key of the grill would remain in the grill lock?—In the grill lock.

562. And it was your practice not to remove it unless you were going either out of the premises or going upstairs?—Yes.

563. Do you mean to say you removed it every time you went upstairs?—I would remove it if there was anybody here by himself.

564. And not otherwise?—Not otherwise. I might be called upstairs quickly.

565. So it might happen that if you were called quickly upstairs during the day a stranger who was in this room could have gone to the grill and opened it?—I would have closed it if I saw any strangers in this room.

566. How many grill keys were there?—Two.

567. CHAIRMAN.—Who had the other?—Four of the outer door and two of the grill.

568. The Solicitor-General.—Who had the other?—It was in Sir Arthur Vignas' possession, and, to the best of my knowledge, he kept it upstairs in his own room in some place.

569. You had the one kept in the grill lock?—Yes, kept in the grill lock.

570. And the other was in Sir Arthur Vignas' custody, wherever he kept it?—In Sir Arthur Vignas' custody.

571. Do you remember some time prior to the discovery of this robbery being told by Mrs. Farrell of the coming to this office of some strange gentleman?—That would be about something over a year ago or so that she told me one morning while she was engaged in duty upstairs somebody opened the hall-door and came in, and came into this room, as we may call it a room, and she, hearing footsteps, called out from upstairs and asked who was there. Now, I will not be sure whether Mrs. Farrell told me the gentleman, whoever he may be, answered her or not, I think he did. He answered her, and after making answer to her he walked out. I reported that circumstance.

572. To whom?—To Sir Arthur Vignas, and asked him if any gentleman had been in, and made inquiry, and he had not been in.

573. What did you tell Sir Arthur Vignas?—I told him Mrs. Farrell told me that the door had been opened by somebody in the morning while she was cleaning the upper part of the place, and she called out from the stairs, and whether he answered, I am not sure whether she got an answer, and I asked him if it was Mr. Mahony had come in or if it was Mr. John Blake, who sometimes used to come to the place during office hours, and it was neither of them.

574. CHAIRMAN.—Do you say it was neither, or do you tell as that he ever told you that it was neither of these? (Witness paused.)

575. The Solicitor-General.—Did he tell you that it was not either Mr. Mahony or Mr. Blake?—I must try to consider before I can make an answer.

576. Did he tell you that he, Sir Arthur Vignas, had made any inquiry at all into the subject?—Nothing further than that.

577. Did he say that he had inquired whether it was any of the officials, or anything of that kind?—No.

578. Did he state to you, according to your recollection, that it was not either Mr. Mahony or Mr. Blake? Why mention Mr. Mahony or Mr. Blake?—Because Mrs. Farrell said she thought it was a tallish man that name, and Mr. Mahony and Mr. John Blake are above the average, and that was the only two that I could connect with the point.

579. Who is the Mr. Blake that you refer to?—Mr. John Blake. He has some position in the Land Commission office.

580. Had he anything to do with this office at all?—He used to come in here occasionally.

581. CHAIRMAN.—Was he a relative of Mr. Blake, the Athlone Pursuivant?—A brother of Mr. Blake.

582. Mr. Blake, the Athlone Pursuivant, had left at this time?—No; that was, to my recollection, a year and a half ago.

583. The Solicitor-General.—Now, I want to ask you about this week that the robbery was discovered. Do you remember the Wednesday morning in that week?—I do.

584. July the 3rd. You came about 10 o'clock or afterwards?—Between ten and half-past was my hour for coming here.

585. Was Mrs. Farrell there in the office when you came?—Yes.

586. What did she say to you about the outer door?—She told me that she had found the outer door open, not open but unlocked, and I asked her if she was sure on the point, and she said yes.

587. Did you ask her if she was sure, and she said yes?—Yes. And she showed me the lock in the position in which she said she found it.

588. Did she actually take you to the door and show you the condition of the door?—If I remember rightly Mrs. Farrell was quite at the door, close to the door.

589. Now, did she step late to tell you that, was this beyond her usual hour?—This was beyond her usual hour. Mrs. Farrell was finished her work before I came here, and it was an understood thing that she might go and fasten the outer door and go out. On this occasion Mrs. Farrell was ready to go when I came. She was dressed.

590. Was she apparently waiting for you?—She was apparently waiting for me.

591. Beyond her usual hour?—Beyond her usual hour.

602. And the purpose for which she was apparently waiting was to tell you of the fact?—To tell me that she had found the door unlocked.

603. You examined the lock with her?—Yes.

604. And then she went away?—She went away then.

605. And in due course Sir Arthur Vivers came that day?—Yes.

606. About what hour?—I could not recollect the hour. I would say about 12.

607. Now, when Sir Arthur Vivers came did you see him?—I always saw Sir Arthur Vivers when he came in in the morning.

608. Kindly tell the Commission what you told him about the doors being unlocked?—I think I saw him the moment he came. When he came in the morning he had his dispatch boxes and things, and I took the first favourable opportunity upstairs in Sir Arthur Vivers' room and told him Mrs. Farnell had reported to me that when she came in the morning she found the hall door unlocked, and Sir Arthur Vivers' reply to me was, "Is that so?" or some remark, "Did she?" I said "Yes," and Sir Arthur Vivers passed no other remark then.

609. And did that end the whole thing?—That ended the thing so far as I was concerned. I heard no more.

610. CHAIRMAN.—Did he ask you could you explain how the outer door had been left unlocked?—No, sir.

611. Was it you that locked it up the night before?—I think not.

612. Whose duty was it to lock up this outer door?—Well, my time that Sir Arthur Vivers gave me for leaving was half-past five.

613. Yes?—Now, if Sir Arthur Vivers was stopping on in the office after time and he did not require my services he would send me away and he would say, "I do not require you any more to-night."

614. And then you would not look it?—No.

615. Mr. Jones.—And I suppose you would slip the latch. Would you leave it without that?—No; and Sir Arthur Vivers on leaving in a case like that would say, "Slip the bolt," and I always did.

616. CHAIRMAN.—Can you remember whether on the Tuesday evening before the house door was found unlocked you had been the last to go out, or whether you had gone out leaving some people here?—I cannot remember just now, but, but to the best of my knowledge I was not the last to leave.

617. Did Sir Arthur Vivers not ask you?—Sir Arthur Vivers did not.

618. Whether you were the last to leave the house the night before?—He did not say.

619. Was there any step taken so far as you are aware to fix the responsibility for it on anybody?—I do not know of any steps being taken. A certain thing came under my notice and I reported it.

620. The Solicitor-General.—And I understood the reply you got was, "Is that so?"—Yes, or "Did she?"

621. Mr. STARRIN.—Are you certain you slipped the latch the previous night?—I am sure I did. Whether I was the last to go out, I do not know I was the last to go out, if I was the last to go out or not I am certain I slipped the latch.

622. Did you ever know of the stock-lock on the door being locked?—The lower one?

623. At night, yes?—No, never, because the key of the large lock is the lower one, and there is only one key to that and that was inside, and if that was locked, there being only one key, the door could not be opened in the morning till the person came who carried that key.

624. And, as a matter of fact, it never was locked?—Not till after the robbery, and then.

625. The key could be inserted from the outside, the key of the lower lock?—Yes.

626. CHAIRMAN.—There is a keyhole outside?—Yes.

627. There is no difficulty about locking it if it had been the practice?—No difficulty about locking.

628. The Solicitor-General.—You had only one key, a latch key?—A latch key, and that was all.

629. And that would enable you to enter without difficulty at all times?—Yes.

630. Now, did Sir Arthur Vivers authorise you or ask you to give any information to the police about that incident of the door being found open?—No.

631. And as far as you know no inquiry was ever made about it?—I never heard, and no inquiries were made.

632. And you remember the day itself the robbery was discovered, Saturday?—Yes.

633. CHAIRMAN.—Of course you knew the detective who was on duty then?—Oh, yes.

634. Did you ask him whether he had come to the door the night before?—I did not.

635. The Solicitor-General.—Now, you mentioned yourself, you say, with regard to your superior officer?—I thought then that I had done my duty.

636. CHAIRMAN.—I am not implying anything at all to you. I am only asking as to the fact.

637. The Solicitor-General.—Now, you remember the Saturday the discovery occurred?—Yes.

638. Were you in the office the previous Friday, that is the day before the discovery?—I was here in the office.

639. When did you leave the office that day, Friday?—Between a quarter to 6 and 6 o'clock. I won't be sure, but between a quarter to 6 and 6.

640. On that occasion, Friday, whom did you have in the office behind you?—Sir Arthur Vivers and his clerk.

641. Who was that clerk?—Mr. Horlock, and I am sure of those two, but I won't be sure whether the typewriter, Miss Gibbons, was here or not, but I think she was.

642. And possibly Miss Gibbons, but certainly Sir Arthur Vivers and Horlock?—Certainly Sir Arthur Vivers and Horlock.

643. Did Sir Arthur Vivers tell you on that occasion, coming on towards the time of your departure, that he had done with you?—Sir Arthur Vivers told me that I might go, as he usually did, sending me away, "You may go away. I do not want you any more."

644. I believe up to the early part of 1907 you habitually were the last to leave the place?—Well, yes; I may say so. Sir Arthur Vivers and I usually went out together.

645. Was there a new departure after the arrival of Horlock?—After he came in Sir Arthur Vivers would send me away and state that he did not require my services, and say, perhaps, Mr. Horlock would take the letters, and perhaps Sir Arthur Vivers would take the letters—would call me upstairs—and tell me that he did not want me any more for that night. Previous to Mr. Horlock's coming in Sir Arthur Vivers occasionally has sent me away before time, and perhaps sometimes he would be off with the letters himself, or perhaps send Miss Gibbons with them. That would be a rare occasion.

646. That night before you went away did Sir Arthur Vivers say anything to you at all about the strong room—before you left did Sir Arthur Vivers tell you to close the strong room?—When Sir Arthur Vivers sent me away on these occasions, unless he would be wanting the strong room left open I closed it. This was one of my questions to him. He would say, "You may go," and I would say, "Do you want the strong room any more to-night, Sir Arthur?" and then he would consider, and if he did not he would say, "No, you may close it." I closed the strong room on Friday night.

647. CHAIRMAN.—Sir Arthur Vivers told you to close it?—I asked him the question—"Do you want the strong room any more?" and he said "I do not think I shall," and I closed the strong room that night when I was leaving.

648. The Solicitor-General.—Ten feet then, according to the usual practice, the key of the grill in the grill lock?—In the grill lock.

649. CHAIRMAN.—And you took your own key with you?—I took my own key with me.

650. The Solicitor-General.—Of the strong room door?—Of the strong room door.

651. There were two keys, were not there?—Not two of the grill. There was a small key attached to the large one which was of rarely minor importance than opened these padlocks (passing by the padlocks in the library), one large key, and the smaller key was the key of these padlocks.

652. CHAIRMAN.—How were those two keys joined?—By a piece of twine.

653. The Solicitor-General.—There was a bigger key for the grill lock itself?—A bigger key for the grill lock.

654. And to that bigger key there was a smaller key attached by a piece of twine?—Yes.

655. What was it for?—It was for these padlocks, the one key to open all these padlocks.

DUBLIN.
Jan. 13, 1908

646. Would that smaller key be used for the purpose of opening these presses here?—These are snaplocks, and when these are opened by any person giving one of these a push closes it, and suppose I was here I carry one key on my bunch of these presses and then the press may be closed again, and then the officials of the place knew of this key of the presses being attached to the other, and they would have to open a press when it is accidentally closed.

647. They would go to your drawer when you were away at dinner, but otherwise they would go to the grill?—Yes, that is right. The officials must have access to my table-drawer on account of the grill-key being lost there when I am out.

648. In other words I understand it is the practice in opening one of these presses here?—Simply there is attached to the grill-key a key for it.

649. One of the officials would go to the strong room grill if he wanted to open one of these presses and take the key out of it?—That is the idea of it.

650. You phrase it well when you say that was the idea. Now, you wait away on that Friday night, and you locked, I suppose, the strong room door?—I locked the strong room door.

651. Leaving the two keys in the grill lock, its own key and the little key?—its own key and the little key.

652. And then you came back the following morning?—I came back the following morning.

653. And went to your desk here in this little passage or room?—Yes.

654. And there was no one on the premises when you came in?—No.

655. What hour, about, did you arrive?—About 10.30.

656. And did you observe anything on your desk?—Yes, I observed some writing on the blotting-paper lying on the table.

657. Yes, I believe, took up that little evidence?—I did.

658. What was written on it?—I found Mrs. Farrell had written on the blotting-paper on my table?—Mr. Stiver, I found the strong room door open this morning. I have closed it and I closed the gate?—which is Mrs. Farrell's description of the grill, "and leave the keys on your table." And there were the keys by the side of her note.

659. CHIEFMAN.—Were the keys that she had left beside or on this note the two keys, one of the grill and the other the small key of the presses?—Just so, sir.

660. The Solicitor-General.—And not at all a key of the outer door?—Not a key of the outer door, because she could not, because she had not one, I think.

661. So that the fact of them being placed there, the two keys of the grill, is proof positive of the door having been open?—I looked them up at night, and that is a proof of its having been open since I locked it.

662. And of course she had not a key of the strong room door?—To my knowledge she had not.

663. That, of course, was a very remarkable fact!—Very remarkable.

664. On the Saturday, do you remember Sir Arthur Vicars coming about 11 or half-past 11 to the office, that Saturday morning?—I remember Sir Arthur Vicars coming to the office, but I do not remember the time.

665. About what time?—Well, it may be about half-past 11.

666. Where did you first speak to him; where did you first see him?—I first saw Sir Arthur Vicars when he came. It was my invincible practice to meet Sir Arthur Vicars when he came, and if I did not see him in the hall, if he opened the door himself, then I would go to meet Sir Arthur Vicars. Sometimes I might not hear him. Sir Arthur Vicars might open the door easily.

667. In other words a man might easily open the outer door and you might not hear him?—A man could not help hearing him.

668. CHIEFMAN.—You said Sir Arthur Vicars might have come in quickly and you not hear him?—He might have come in quietly, and I being engaged might not have heard him. Sir Arthur Vicars always called me.

669. He generally called you when he did come in?—Yes.

670. The Solicitor-General.—And he usually brought dispatch boxes when he came?—Yes, usually.

671. So that there would be a certain amount of disturbance and noise when he came?—There would be.

671. Now, on that morning of Saturday when did you first see him?—I first saw him at the door when he came in.

672. Was he alone then?—Sir Arthur Vicars was alone.

673. What did he say when he came in first?—He went upstairs, as he usually did.

674. Did you go up after him?—I went after Sir Arthur Vicars, and as well as I recollect I carried up his dispatch box.

675. And went into his room?—And went into his room.

676. Were you both then there together?—Both then then.

677. Was there anyone else in the office?—Yes, Mr. Mahony was in the office, and Mr. Harlock and Miss Gibson.

678. But in Sir Arthur Vicars' room?—Mr. Harlock was in Sir Arthur Vicars' room, and Mr. Mahony, I think. I will not be sure, but Mr. Mahony was in the premises.

679. Did you say anything to him then about the strong room door?—No.

680. There were three others present, Mr. Mahony and Mr. Harlock?—Mr. Harlock was present. I am not sure of Mr. Mahony or not.

681. Did you remain long in his office?—Not more than a few minutes.

682. What did you do then?—I came downstairs then to my own room.

683. When next did you see Sir Arthur Vicars?—I next saw Sir Arthur Vicars when he came down to use the telephone in my room. The telephone I refer to now is the telephone put up for communication outside.

684. That is an Exchange telephone?—Yes, an Exchange telephone.

685. You next saw him when he came to the telephone in your room?—The messenger's room, yes.

686. When did he come down to your room on that morning?—I cannot be sure exactly of the time, but as near as I can guess it was between half-past twelve and one, certainly before two. That is as near as I can guess the time, between half-past twelve and one.

687. Were you and he alone then in the room?—Sir Arthur Vicars and I were alone in the messenger's room.

688. Was that the first occasion on that day on which you saw Sir Arthur Vicars alone?—That was the first occasion I saw him alone that day.

689. Except for the moment when he was passing?

690. What did you say?—I told Sir Arthur Vicars, as I told the Commission now, that on my arrival in the office in the morning I found on my table a note from Mrs. Farrell telling me that she had found the strong room door open, and that she had closed it and closed the gate, leaving the key for me. Sir Arthur Vicars looked at me, and he said—(here the witness paused)—I am trying to recollect Sir Arthur's reply to me. I am trying to recollect it. I think Sir Arthur Vicars said to me, "Did she?" and I won't be positive of that, but Sir Arthur Vicars' accurate answer occurs in my statement which I made to the police afterwards. It is a remark of that description—"Did she?" or "Is that so?"

691. CHIEFMAN.—Do you not remember the statement you made to the police, and cannot you give it to us yourself now?—That is what I think Sir Arthur Vicars said to me, "Did she?" or "Is that so?"

692. The Solicitor-General.—Was it either one or the other?—Either one or the other.

693. The statement to the police was, "Sir Arthur Vicars said—" Is that so?—If you have read from my statement to the police, that is when the fact was fresh in my memory.

694. CHIEFMAN.—Did he make any further remark?—No further remark.

695. The Solicitor-General.—Did he examine on that occasion the strong room at all?—No. Sir Arthur Vicars passed upstairs.

696. Did he ask you to go and tell the police about that remarkable fact?—No.

697. And your recollection is that it was simply, "Is that so?" or "Did she?"—either one or the other?—Yes.

698. CHIEFMAN.—There had been no word about the opening of the safe at this time?—Oh, no, sir.

700 This was before?—This was before the said incident.

701 The Solicitor-General.—Your estimate now is that that was as far as you can remember from half-past twelve to one o'clock?—Half-past twelve to one.

701 In or about an hour after he arrived?—In or about an hour after he arrived. I won't be positive of the time. To the best of my recollection it was between half-past twelve and one. It was certainly before two o'clock.

702 Mr. JONES.—Did he not make any examination of the strong room at all then?—No, but I may say that I opened the strong room in the morning, and I locked round, and apparently everything was all right.

703 The Solicitor-General.—Did Sir Arthur Vizars make any examination whatever?—No examination whatever.

704 He simply left and went upstairs?—Simply left and went upstairs.

705 Did he ask you whether you had closed the strong room door the previous night or had forgotten it?—Not on that occasion.

706 Did he not ask you how could you have closed the night before when it was open when Mrs. Farrell came in?—No.

706 He did not impinge to you any blame or carelessness?—No.

707 He had told you the night before to close the strong room?—Yes; told me to close the strong room.

708 You told him next day Mrs. Farrell had found the strong room door open?—Yes.

709 Did he say to you, "Why didn't you close the strong room door when I told you?"—No.

710 He asked you no questions about it?—Sir Arthur Vizars did not question me in any manner then, on that occasion.

711 He simply said, "Is that so?"—He simply said, "Is that so?"

712 Mr. SPENCER.—What did Mrs. Farrell write about the grill, did she say that she closed the gate?—She closed the gate, as she called it.

713 And if she was accurate about that, it must have been open also?—It had not been open she would not have said anything about closing.

714 CHAIRMAN.—As I understand the account you give, what she said was, "I have closed it and closed the gate, and leave the keys on your blotter"?—Yes.

715 Of course, you may have been mistaken?—It was the keys lying on the table that drew my attention to the writing. I came and saw two keys lying on my table.

716 And without any writing you must have known, seeing the keys on your table, that somebody had opened the strong room door?—Yes.

717 The Solicitor-General.—On that morning had you received from West's, the jewellers, a package?—Yes.

718 When did you receive that, or what was it, first of all? Was it a box or what?—It was a circular package wrapped in paper. I supposed, having seen them before that, it was a collar box, perhaps containing a collar of the Order of St. Patrick.

719 Do you say that you had seen them before?—Oh, yes, attending salesmen and things of that kind. I would not sign West's man's delivery book, but I took his pass upstairs to Mr. Mahony, who was on the premises at the time, and told him that West had sent this thing and would he please to see what it was so that he might sign the receipt. Mr. Mahony opened it and he said, "There is a collar in the box," and, if my memory serves me right, Mr. Mahony took the receipt note and one of us, either Mr. Mahony or I, signed that delivery book.

720 What hour, about, was that?—I should think about 11 o'clock.

721 Where was the collar placed then?—On Sir Arthur Vizars' table; placed there for his inspection when he came.

722 Now, it was there then, of course, I suppose, when Sir Arthur Vizars came in about half-past 11 or thereabouts?—It was.

723 You remember, of course, you going upstairs immediately before being sent down with a key, you remember that?—Yes.

724 Was that some considerable time after you had told Sir Arthur Vizars of the strong room door being found open?—I stated I reported to Sir Arthur Vizars that the strong room door was found open between half-past 12 and one, about that time, to the best of

my knowledge, but when I went upstairs to Sir Arthur Vizars on the occasion that you question me about now it was a quarter-past 2. I won't say to 5 minutes. It might be 10 or 20 minutes past 2, but it was within 5 minutes of a quarter-past 2.

725 CHAIRMAN.—You had been telephoned for, I suppose?—No; I went up to Sir Arthur Vizars. It was my usual practice on Saturday. It was my usual practice to go to Sir Arthur Vizars on Saturday about 2 o'clock or a few minutes afterwards to see if he wanted me any more for the day, and if he did not, he sent me away.

726 Had he not called you up?—No, and that was what I went for.

727 The Solicitor-General.—Who was in the room with Sir Arthur?—Sir Arthur and Mr. Mahony. Sir Arthur rose up from the writing table and before I had time to ask him if I might go away or if he wanted me any more for the day Sir Arthur Vizars said, "I wish you would take this collar and put it down in the safe. We are getting overcrowded here, we are getting congested," and at the same time Sir Arthur took his keys out of his pocket, selected the key that would open the safe and handed it to me in that way, holding the key that would open the safe up so that I would not want to pick it out when I got downstairs, and I took it out of Sir Arthur Vizars' hand.

728 As I understood, before you spoke to him at all in the office he sent you there?—He had heard my step.

729 But before you addressed him he addressed you?—Yes.

730 And in that manner you have just stated?—Yes. Those may not be his exact words.

731 But that is the substance of it?—The substance of it.

732 Was the collar-box at that time uncovered by paper?—Yes.

733 Did he give you the collar-box to take?—He passed me the box.

734 The box itself?—I never lifted the lid, but I supposed that the collar was inside.

735 He gave you the box containing, as you assumed, the collar and took out his keys and gave you the log of the safe?—Of the safe.

736 Had you ever the key of the safe in your possession before?—Never.

737 Or did you know which of his keys was the key of the safe?—I did not, and could not make it out now.

738 So that an incident of that kind happened then for the first time?—For the first time.

739 Had you, in your time, often opened safes?—I had never opened a safe.

739 Never opened a safe?—Never opened a safe; never opened a safe till this time.

740 Did you know how to open a safe?—I could not swear that. I had not opened a safe.

741 Was anything said even as to how you were to open it?—No. I was simply given the key and the box, and told to place the box in the safe.

742 Now, where was Sir Arthur Vizars when he told you that?—Sir Arthur Vizars was in his room between the end of his writing table and the window.

743 Was he standing or sitting?—He was standing.

744 He was not then writing a letter?—He was not writing a letter. Sir Arthur Vizars came down to the end of the writing table and handed me the collar box with collar in it and his bunch of keys, selecting the key of the safe.

745 And Mr. Mahony was in the room with him at the time?—Mr. Mahony was in the room to the best of my recollection. I think I recollect seeing Mr. Mahony standing near to Sir Arthur Vizars when he gave me the box.

746 Now, you had never been asked to do such a thing before?—Never been asked to do such a thing before.

747 And did you come downstairs then?—I came right away when Sir Arthur Vizars gave me the key and the collar box to put the things as ordered.

748 And did you come to that safe over there?—I went to this safe.

749 Was the safe at that time apparently locked?—The safe at that time had the exact appearance that it has now.

750 Was this handle turned down as it is now?—It was turned down as it is now. Otherwise I should have seen that the safe was not all right.

DOMINION.
JUN. 13, 1908.

DEBIL.
Jan. 11, 1908.

Tell CHAIRMAN.—You understand that much of a safe?—Because the same principle applies to the strong room door.

752. The Solicitor-General.—What did you do when you came down?—The first thing I did was (here the witness proceeded to accompany his answer with a practical demonstration). That keyhole being similar, I very much followed my usual course in opening the strong room door, that is, to insert the key in the lower keyhole, if I may call it so. I placed the collar-box there (indicating *the top of the safe*), and I tried to follow my practice of unlocking the strong room door. I put that key in there (*indicating the top of the lower slot or keyhole*) and I found it would not work, but not with some difficulty, and a thought suddenly flashed into my mind. Would there be a reverse action in the lock to the one in my strong room, and I tried? (Witness here put the key into the upper slot or keyhole, turned it, and then took hold of the lever handle which was removable.) That clearly proved to me that instead of unlocking I locked it.

753. Did that mean that it had been previously unlocked?—That explained to me that when I came there, instead of that safe being locked, as I thought, it was unlocked, and instead of unlocking the safe I locked it. I then took the key out of the lock and took the collar-box and started upstairs.

754. Do I understand you then that you did not open the door of the safe at all?—I never opened the door of that safe.

755. And informing *me* that had been previously unlocked, you then left the safe and took the collar-box in your hand?—Yes.

756. And what did you proceed to do?—When I got that far I thought, "It means getting somebody else." I began to walk out here, I heard footsteps coming the stairs overhead, and as I arrived at the bottom of the stairs Sir Arthur Vicars had got to the top, so that I concluded it was Sir Arthur I heard crossing the room. I saw him at the top of the stairs and beginning to come down, and I went upstairs and met him about half way up the stairs when he came down.

757. You say then you went upstairs?—I went upstairs, and I saw him coming down, and met Sir Arthur half way.

758. What did you say to him?—I then said, "Sir Arthur, the last time you were at the safe you could not have locked the door?"—"Oh," said Sir Arthur, "I must have done."—"Well," I said, "Sir Arthur, I find that the safe door is unlocked."—"Oh," he said, "you didn't. What do you mean?" So Sir Arthur came down with me and came over here, and then I was able to show Sir Arthur Vicars the exact state in which I found the lock when I came to it. Sir Arthur himself opened the safe door, and the first thing Sir Arthur Vicars said on opening the safe door was, "The key is in the lock" (*Here the safe was opened, and the witness indicated the case in which the jewels had been kept.*) Sir Arthur says, "I wonder if they are all right" meaning I suppose, the Crown jewels. With that, Sir Arthur opened that case and then he opened this, and went down on one knee, and said: "My God, they are gone," he said, "the jewels are gone!" and he said that he wondered if anything else is gone and put his hand on a box of that description, which had contained a collar, and he said, "Lord Cork's collar gone?" And then he said, "Anything else?" and he removed all of these collar boxes, and finding them empty he opened them he remained in each case: "This gone?" and "This gone?" and at last he discovered a case of jewels which belonged to his private property, and he found that that was gone also.

759. What did he say when he discovered that last case was gone too?—"Oh," he said, "My mother's diamonds gone also?"

760. Did he make any further remark?—No further remark.

761. Was there any case at all when he spoke of his mother's diamonds?—I never saw them. Sir Arthur Vicars told me that there were some diamonds there that had belonged to his mother, owned by Mr. George Mahony.

762. He did not point to any case that had contained the diamonds?—No, that case was gone.

763. He said the jewels were gone and the case left, and the collars were gone and the cases left. But in the case of his own jewels?—Case and all was gone.

764. What did he do then?—Sir Arthur then sent me round, and then the police took the case up.

765. Did you leave the safe unlocked?—I left it unlocked as I found it, and went straight to Sir Arthur Vicars to say how I found it.

766. And it was after that operation you headed steps upstairs and met him coming down half-way?—Yes.

767. Mr. Stebbing.—During the time it was unlocked you had not tried to move the handle?—No, I never touched the handle.

768. The Solicitor-General.—Assuming, of course, that it was locked, you did not touch it?—No.

769. With regard to the case containing the State jewels, where was that placed, was that the uppermost case?—It was standing on the top as you see it now.

770. Now tell me, Mr. Stebbing, you remember afterwards the police being here?—Oh, yes.

771. Were you present when Sir Arthur Vicars told them about the incident of giving you the key and asking you to bring down the collar?—I remember.

772. Did you say to him that was the first time he ever gave you that to do?—No.

773. You do not remember that. Did you hear Sir Arthur Vicars that day giving an account to the police about the occurrence?—While the police were here I was constantly passing in and out of the room, and anything that I heard I could not hear the statement. Sir John Ross and Mr. Haired came here.

774. You did not hear it all?—I might just hear a few words of a statement.

775. Can you tell how many people had latchkeys for the outer door?—There were four latchkeys. Sir Arthur Vicars had one; Mrs. Farrell carried one; Mr. Bartleff had one; I had one. I am not sure, but I think there was a fifth key belonging to Sir Arthur Vicars, belonging to the office, I may say. Of that I won't be sure, whether there was a fifth key or not.

776. Do you remember whether or not Mr. Pierce Mahony had one?—Mr. Pierce Mahony carried a key for some time, and then he ceased to carry it, a key of the hall door.

777. Can you tell when he ceased to carry it?—I think it was some months before the discovery of the robbery.

778. Tell me. You kept that book. (*Finiter's Book kept to witness*)—I kept this book.

779. We were told by Mr. Bartleff he had to-day about Mrs. Tuckett being present. Can you tell the Commission the date when Mrs. Brown-Potter and a Mr. Percy came here to this office?—I don't think you will find Mrs. Brown-Potter's name here.

780. Do you remember her being here?—Yes, I remember Mrs. Brown-Potter, or rather a lady who I was told afterwards was Mrs. Brown-Potter. She came with Mr. Percy. I would not always put in the whole party. I would put in the name of one of the party.

781. Show me any entry there of either Mr. Percy's name or Mrs. Brown-Potter's. Show me the name of Mr. Eason Percy?—The name is there.

782. CHAIRMAN.—Do you recollect the date?—I cannot recollect the date, but it was some time in May, or the end of April, the latter part of April or the early part of May.

783. The Solicitor-General.—I find an entry on Friday, the 12th of April. The first name is Mr. Eason Percy. There are a number of other entries on that occasion?—I think Mr. Percy is on the next leaf, but I won't be sure.

784. You say he appears again on the next page, does he?—I asked if he did.

785. Was Mrs. Brown-Potter with him on one occasion?—Yes, the lady who I was afterwards told was Mrs. Brown-Potter was with Mr. Percy on one occasion.

786. Were they here with Sir Arthur Vicars?—Come for Sir Arthur Vicars.

787. Were they in this room?—In this room.

788. And were they shown the jewels?—I cannot say. I would not say. I was in my own little room, but in my opinion the lady and gentleman in question were in this room.

789. Do you remember Mr. Eason Percy being here again?—I remember Mr. Eason Percy being here a second time.

790. By himself?—With another lady.

791. Coming is Sir Arthur Vicars?—Yes.

792. Do you know whether Mr. Percy was at that time staying with Sir Arthur Vicars?—I have every reason to believe that he was.

793. Living with him?—Living in his house, with Sir Arthur Vicars. I went to Sir Arthur Vicars on business one morning and I saw Mr. Percy there.

794. At Sir Arthur Vicars' house?—At Sir Arthur Vicars' house, Chelmsford.

795. What time in the morning was it you saw him?—About half-past eleven.

796. It was your impression that he was living there with him?—By what I saw I should think he was living there; he appeared to be resident.

797. Now show me in that book an entry of the prisoner in his office of Miss Daisy Newman?

798. CHAIRMAN.—Do I understand that there is no entry of the second visit of Ms. Percy?

799. The Solicitor-General.—None that I can find. (To Wilson).—Do you know the lady I mean?—I do not.

800. I will try to indicate her for you?—She was a lady, according to my opinion, that came with Mr. Herlock, sir.

801. Sir Arthur Vicars' clerk, who came in the early part of 1897? I remember a lady coming with him.

802. With Mr. Herlock?—Yes.

803. Is there any entry of her appearance in the office here. Do you remember, in the year 1897, in or about the month of April, a lady coming with Mr. Herlock to this office?—I do.

804. Was she more than once?—She was here more than once. She was on one occasion when Sir Arthur Vicars showed her something that was to be seen in the office—what, I do not know. He showed her round this room, the books and other things that you have here, because they came through my room, Sir Arthur Vicars and Mr. Herlock and the lady in question, and came from this office, and passed through my room, and passed into the strong room.

805. Into the strong room?—Into the strong room.

806. But you do not know whether he showed her the jewels or not on that occasion?—I could not say. I was not in the room.

807. Mr. Hodgson's name is entered on the book, and do you know whether he showed the jewels to Mr. Hodgson on the 14th of June?—I do not know, because Mr. Hodgson's case is just similar to what I have just mentioned, and he also passed from here to the strong room with Sir Arthur Vicars.

808. Was he taken to the strong room by Sir Arthur Vicars?—Yes.

809. And was that young lady with Mr. Herlock also taken by Sir Arthur Vicars into the strong room?—Yes.

810. Shown round, as you say?—Yes, shown round.

811. Did you enter every name in that book of persons who came to visit the office?—I might omit some.

812. On what principle did you enter the names?—Sometimes I could not get the names.

813. Any person's name you knew you would enter?—If a gentleman gave me a card of course I put down the name. I would read it from the card.

814. When did you hear that it was Mrs. Brown-Potter was the lady that was here?—From Sir Arthur Vicars. That was after the discovery of the robbery. I said just now that sometimes a party of ladies and gentlemen might come and one might possess a card and I might get the name of one, and I would put that in the book.

815. How did he come to tell you that it was Mrs. Brown-Potter that was here?—Sir Arthur Vicars told me about the inquiries that had been made.

816. Tell us what he said to you?—He told me that the police had been inquiring about Mr. Ernest Percy as they got him in the book, and he said "Have you got him in the book?" and I said "I think I have, Sir Arthur." Sir Arthur and I turned over the leaves of the journal of names and he turned up Mr. Percy's name.

Sir Arthur then said "You have not Mrs. Brown-Potter's here," and I think that is the first time, that I have known the lady's name. I knew there was a lady with Mr. Percy and I said "Shall I put it in now?" and he said "Don't make any alteration now in the book."

817. What did he say to you about Mr. Ernest Percy?—Sir Arthur Vicars told me that they had been making inquiries (I understood him to refer to the police) about certain parties staying with him, and then

he said "Do you remember Mr. Ernest Percy coming here?" and I said "Yes, Sir Arthur, I do remember Mr. Percy coming here. I have got his name in the journal"; so then he turned it up, and then, as I told you, Sir Arthur Vicars mentioned Mrs. Brown-Potter.

818. Did he ever tell you at all whether he had shown Mr. Percy the jewels?—Never.

819. Of Mrs. Percy?—No.

820. CHAIRMAN.—There were four keys of the strong room?—Four keys of the strong room.

821. Do you know who had the other keys—you had one?—I had one. Sir Arthur Vicars gave me a key and kept one for himself. Mr. Blake, who was the Athlone Preserver, had a key, and Mr. Burtschell had a key.

822. Now do you know anything of the history of those keys afterwards; do you know what became of Mr. Burtschell's key?—Mr. Burtschell's key came into Sir Arthur Vicars' possession, I do not know how, but Sir Arthur told me that he had got Mr. Burtschell's key, and he said "We will in future keep that key in the strong room. We will wrap it up in a piece of silken paper so that it won't rust. We will put it in same place in the strong room," and I did so. I also showed Sir Arthur Vicars where I put it, and that key lay there than from that on.

823. For how long?—For the best part of a year. I suppose for a year.

824. Was it in the strong room at the time of the discovery of the robbery?—Yes.

825. Did you find it there?—Yes.

826. Mr. JUSTICE.—After the discovery?—Yes.

827. CHAIRMAN.—That was Mr. Burtschell's key?—Mr. Burtschell's key.

828. And for a year previous to that?—Yes, I think about a year.

829. It was in the strong room?—If not a year, for some considerable time. If not a year, for several months.

830. Now, do you know whether that key was taken out of the strong room at all at any time?—Never, to my knowledge.

831. Had you, at all times, when you went into the strong room, an opportunity of seeing whether it was there or not?—Oh, yes.

832. Did you take notice of it?—Well, I looked occasionally to see was it there, but I did not look every day.

833. But you never missed it?—I never missed it.

834. What about Mr. Blake's key; what became of that?—Mr. Blake's key was given up to Sir Arthur Vicars, of course, when Mr. Blake left. And Mr. Mahoney carried that a little while, and then Mr. Mahoney's key was also kept in the same place and in the same paper with the key that Mr. Burtschell had.

835. And Mr. Mahoney gave up his key also?—Mr. Mahoney gave up his key. I put both away in a tray in the strong room.

836. And then there were only two keys at the time of the discovery of the robbery outside the strong room?—That is all.

837. That is to say the key you had and the key Sir Arthur Vicars had?—Yes.

838. And if these two keys were in the strong room at the time of the discovery it was either your key or Sir Arthur's that opened the strong room?—I cannot go so far as to say that.

839. Do you know of any fifth key?—I do not know of any fifth key.

840. MR. STANNETT.—When did you last see the two keys in the strong room?—I could not say the date.

841. CHAIRMAN.—How was your attention drawn to the fact that the keys were there after the discovery?—Because I looked. I went to see that they were there.

842. To search?—Yes. That was one of the first things I did—to go and see were those two keys there, and I found them there.

843. MR. STANNETT.—Where were they in the strong room?—In the top drawer. There is a chest of drawers in the strong room, and in the top one, wrapped in paper, in the back in the corner, there were those two keys.

844. CHAIRMAN.—You know, beyond doubt, on that Saturday that you had those two keys—the grill key and the other key, and that the strong room door had been opened?—Yes.

845. You found these two keys in the strong room?—In the strong room.

DRAWS.
JULY 11, 1908.

546. And did it not occur to you then, as a matter of obvious inference, that the strong room door must have been opened either by your key or by the one in Sir Arthur Vicks' possession?—The only thing I could positively be sure of was that the strong room door, by some means or other, had been unlocked, but by what I could not say.

547. But you do not know of any other key that was outstanding that could open it?—No; I do not know of any other key.

548. You are perfectly certain that it was not your key?—I am perfectly sure it was not my key that unlocked it.

549. Mr. JOHN.—Were those two keys examined by the police afterwards—you say they were covered with oiled paper?—Oiled paper.

550. Did you oil them well?—No; I did not oil them. I used oiled or greasy paper.

551. Mr. STARKIE.—Was the drawer the keys were in locked?—No.

552. Mr. JOHN.—You say you used to put the key of the grill into a drawer when you went out to dinner?—Yes.

553. Did Sir Arthur Vicks avail himself of that precaution?—Oh, yes.

554. Used he to come down and use that key himself to enter?—It was kept in my table drawer, at Sir Arthur Vicks' order or suggestion. He was thinking what should be done about the grill when I would be out during dinner hour or likely to be away from the office at any time.

555. And the precautions which you took were taken with his knowledge, at all events?—Oh, yes. I may say it was Sir Arthur Vicks' order.

556. CHAIRMAN.—Can you tell us whether at the

time you locked the strong room door on Friday evening those keys were there?—I did not look when I locked the door on Friday evening.

557. How soon previously had you looked—can you give any definite date?—When I would be in the strong room I would pull out that drawer occasionally, and see that the keys were there.

558. After you heard from Mrs. Farrell of the outer door being open on Wednesday, did you look for those keys?—No; I do not remember looking that special day.

559-60. Between the Wednesday and the Friday, you do not remember making a look for them?—I do not.

561. Mr. STARKIE.—Was there a lock and key for the drawer the keys were in?—No, no; the two keys of the strong room door were kept in a drawer that had no lock at all.

562. The Solicitor-General.—Was it one key or were there two keys kept in the strong room drawer?—Two keys. One or two keys of the strong room door.

563. Is it one or two?—There was one there first, and then when Mr. Mahony gave up his key, there was a second key.

564. The second key was the key that Mr. Mahony had up to a certain date?—That is quite right.

565. Can you tell the Commission for certain when it was that Mr. Mahony gave up that second key?—I cannot.

566. But was it before the robbery was discovered?

567. Mr. JOHN.—Was it a month before or three months, or less than a month before? I should think it would be more than a month before the robbery that Mr. Mahony ceased to carry a key of the strong room door.

568. The Solicitor-General.—It is your impression that the two keys were there undoubtedly before the discovery of the robbery?—Yes.

The Commission adjourned.

THIRD DAY.

MONDAY, JANUARY 13TH, 1908.

The Commissioners sat at 10.30 a.m.

MR. PRINCE GENE MASTERT examined by the Solicitor-General.

369. Now, Mr. Peirce Mahony, you were appointed Cork Herald of Arms in this office in the year 1905, I believe, September, 1905?—Yes. I think I ought to make an explanation here. I am really, I understand, an officer of the Order of St. Patrick only.

370. I said Cork Herald of Arms!—Cork Herald of Arms of the Order of St. Patrick. I think it right to say that as you mentioned this office, the Office of Arms.

371. You were not, I understand, paid for your office at all?—No.

372. And you have no regular office hours, I understand?—No. I attend here voluntarily. I take an interest in heraldry, genealogy and archaeology.

373. And you have no regular office hours, I understand?—No.

374. And in your attendance you were a volunteer?—Yes.

375. You were appointed in 1905. I take it from that that you did not attend regularly at the office?—No; I attended just about as often as I could.

376. Used you to live in Dublin or at Grange Con while you were in attendance at the office?—I lived in Dublin. I have lived in Dublin for a good many years.

377. I may ask you this—Sir Arthur Vicars is a relative of yours!—He is my uncle; my father's half brother.

378. Did you live with him?—No; I am married.

379. You live in a house of your own?—Yes.

380. CHAIRMAN.—You are a son of Mr. Peirce O'Mahony?—Yes.

381. The Solicitor-General.—You know a gentleman named Mr. Shackleton, I understand—he was appointed one of the Heralds, was he not?—Yes.

382. Was that after or before you?—At the same time. I believe the warrants bear the same date.

383. What Herald was he?—Dublin Herald. The Dublin Herald ranks first.

384. Was he also an unpaid official?—Yes.

385. And on pretty much the same terms as you were in the office as in attendance?—Quite the same.

386. Is he an English gentleman?—Well, I suppose the correct way would be to describe him as Anglo-Irish.

387. But his residence is in England?—He has residence in England.

388. When he was in Dublin here in attendance on the office, fulfilling the duty of Dublin Herald, where did he stay, do you know?—Oh, he lived at St. James's-service.

389. Was that with your uncle, Sir Arthur Vicars?—Yes.

390. I believe he was a co-tenant with Sir Arthur Vicars of the house in St. James's-service?—So I understand.

391. But it was there with Sir Arthur Vicars that he always stopped?—Yes.

392. Now, you, I understand, Mr. Peirce Mahony, had a latchkey for the outer door of the office?—Yes.

393. When did you first get that?—Well, I am not quite sure.

394. But was it soon after your appointment or when?—Oh, no; it was not soon after. I think I ought to make a statement, if I may, an observation. I gave all the information that I knew to the detectives shortly after the robbery, and if I could see that I could refresh my memory.

395. I do not see any objection at all to your saying that!—But I think, if I remember rightly, that I got that key when my uncle went away.

396. That is the key of the outer door?—Yes; I had it then. He went away last Christmas, not this Christmas, but the Christmas before.

397. Is that the Christmas of 1906?—Yes.

398. Is that the first time, according to your recollection, that you got a key of the outer door?—I am not quite sure. I may have had it when he had gone away before, too.

399. When did he go away before, about?—That is

what I am not quite certain of. He may have gone away for his holidays or things like that.

400. That was in the summer of 1906?—Yes, but I am not quite certain whether I was here or not when he was away.

401. CHAIRMAN.—Then you only had the latchkey when Sir Arthur Vicars was away?—Yes.

402. And gave it back to him when he came back?—Generally gave it back to him when he came back.

403. There was only one latchkey between you and Sir Arthur Vicars!—Oh, no; I think he had a latchkey as well.

404. The Solicitor-General.—But was it that latchkey that he gave you?—No; a spare one.

405. And I understand you first got that some time after you had come into the office?—I think so.

406. And on occasions, I gather, when Sir Arthur Vicars left the office, either on vacation or for some other purpose?—Yes.

407. Does that mean that while he was away you were left by him in charge of the office?—Yes.

408. And that you got the latchkey from him?—Yes. When he was away I took charge.

409. Did you or did you not, on his return to the office from vacation or otherwise, return to him that latchkey which you got?—No; not this last time I did not.

410. What last time?—This last Christmas I did not. I kept the latchkey.

411. On former occasions, as I understand, and up to Christmas, 1906, you used to remove him the latchkey on his return?—Yes, whenever I had it.

412. But now at Christmas, 1906, you say Sir Arthur Vicars was away?—Yes.

413. How long was he away about?—Perhaps ten days or a fortnight. I could not tell without referring to the book.

414. And on his return you say you did not give up the latchkey?—No.

415. Did he ask you for it?—Not that I remember.

416. And have you any reason, or could you suggest any reason, why did you did not give it up then?—I wanted to come to him and get the letters, or a thing like that, you see.

417. But as I understand, he neither asked you to give it up, nor did you give it up?—Not that I remember.

418. Did you discuss with him at all the question of your keeping it?—No, I do not think so.

419. He simply let you have it?—I think so.

420. Now, you know of course the strong room, Mr. Mahony?—Yes.

421. And there were, as I understand, the insignia of the Order, some of the insignia, deposited there?—Yes.

422. And there was the Sword of State, I believe?—Yes.

423. And the Crown, Ulster's Crown, itself?—Yes.

424. And were there any other jewels deposited there?—Well, there were no jewels that I know; there were the maces.

425. And some of the collars of the Knights and their badges?—Well, I could not say about the badges, but there were two collars there.

426. Two collars?—I think two collars.

427. Those were gold collars of considerable value, were not they?—As far as I know, I have no knowledge about their value.

428. CHAIRMAN.—Were those the only insignia of the Order of St. Patrick that were in the strong room, those two collars?—I think there was the chain of Ulster's Office.

429. Ulster's chain?—Yes.

430. Was that gold?—I could not tell you.

431. The Solicitor-General.—Apparently of gold?—Yes, I should think so.

432. Is Ulster's Crown silver?—Yes.

433. Is that apparently of gold?—Oh, I should think not. It is not, apparently.

DUBLIN,

JAN. 12, 1908.

934. CHAIRMAN.—He does not think it gold, at any rate. (*H'facing*).—I think the Crown is Sir Arthur Vicars' private property.

935. The Solicitor-General.—Did you get at any time the key of that strong room, Mr. Makony?—Yes.

936. When was it that you got it?—I think at the same time that I got the latch-key.

937. But you told us that you got the latch-key upon various occasions?—(*H'facing*)—But do you mean when did I get it definitely?

938. When did you first get the strong room key?—Well, I could not say. I might have had it before the same way as I had the latch-key.

939. Before Christmas, 1906?—I might have had it. —Yes.

940. You are not sure?—No; I would not like to say for certain. At the time it was fresh in my recollection I gave a note of all this.

941. I want to try and get as much information as possible about it now for the Commission?—Oh, yes; I quite understand.

942. Did you on those previous occasions before Christmas, 1906, when you might have had the latch-key, receive a strong room key under the same conditions as you got the latch-key, that is to say, during the temporary absence of Sir Arthur Vicars?—Yes.

943. If you had it at all?—If I had it at all.

944. And does the same evidence apply to the strong room key that upon Sir Arthur Vicars' return you would receive the strong room key to him with the latch-key; was that your practice up to Christmas, 1906?—Yes.

945. If you had it at all?—Yes, if I had it at all.

946. If you had the strong room key at all?—Yes.

947. Do you remember definitely yourself getting the strong room key at Christmas, 1906?—Oh, I know I had the strong room key at Christmas, 1906.

948. CHAIRMAN.—Was it delivered to you simultaneously with the latch-key?—I am nearly certain it was.

949. The two keys were handed to you at the same time—I am nearly certain.

950. The Solicitor-General.—Now, you have told us that on Sir Arthur's return after that Christmas vacation of 1906 you did not give up the latch key?—Yes.

951. And you have told us that you kept it apparently to provide yourself with easy access to the office when you were coming here?—Well, something like that.

952. Did you give him back on that occasion the strong room key?—No.

953. Why not?—Well, I could not tell you.

954. Did he ask you for it?—Not that I am aware of.

955. And what was the need of your having it?—Well, when I came in here, you see, in the morning I could unlock the strong room door if anybody else was in and let them get out the books.

956. But Stevny had a key, you know?—Yes, but if he had not been in, or anything like that.

957. But it was his habit to be here at 10 o'clock in the morning?—Yes.

958. Your office hours did not begin till 11?—Well, mine were absolutely voluntary.

959. For what purpose could the strong room door require to be opened before 11 in the morning?—None that I know of.

960. There was no purpose. Then can you suggest why you should have been allowed a key of the strong room after Sir Arthur Vicars' return after the Christmas of 1906?—I cannot make any suggestion.

961. You cannot make any suggestion?—No.

962. CHAIRMAN.—The strong room door was open all day from the time Stevny opened it till he closed it at night?—The strong room door was open but the grill was shut.

963. But the strong room door was open all day?—Yes.

964. So that there was no necessity after Stevny came and before he went away?—Well, if he had had to go away or anything.

965. The Solicitor-General.—But, tell me. The key of the grill was always kept in the grill lock?—Well, I do not know if it was kept in the lock, but it was kept attached to it.

966. And you knew where it was?—Oh, yes.

967. But you have given us now the benefit of your statement, and you cannot, as I understand, give any real reason why you should have had or should have been allowed to keep a key of the strong room?—No.

968. Sir Arthur Vicars, of course, was away. He must have been away when you had it?—Oh, yes.

969. Did he ever ask you to give it back to him?—Not that I remember.

970. Did he ever discuss with you at all the property of your being allowed to keep it?—Well, I think he considered as an official that I ought to have a key. That is the only thing.

971. Did it occur to you at all that it was a matter of great responsibility that you should have a key of the strong room?—I do not think it did. I never like to take more responsibility, but I did not consider having the key, having regard to whence this office was situated and everything—it did not occur to me that it was any great responsibility.

972. How did you carry the strong room key?—Was it on a bunch of keys?—When I required it I brought it in my pocket, but when I did not require it I kept it away safely at home.

973. When you required it you brought it in your pocket?—Yes. Just attached like these keys (produced).

974. To your watch chain?—Yes.

975. Otherwise you kept it safely at home?—Yes.

976. When might I ask?—Well, I kept it sometimes with my own safe keys.

977. But where would it be deposited at home?—In my desk.

978. Was that an open desk?—Oh, no, locked.

979. I then gather from you, Mr. Makony, as regards the strong room key, that you either had it attached to your watch chain or else deposited at home?—Yes.

980. Under lock and key?—Yes.

981. You told us that when you required it it was your custom to bring it with you to the office?—Yes.

982. What were those occasions when you required it?—Oh, well, when my uncle was away.

983. When he was away?—Yes.

984. Do I understand then that you would not bring it at all unless when your uncle was away?—Oh, no; I did not bring it at all.

985. Unless your uncle was away?—Unless he was away.

986. So that I may take it that except for that period when your uncle was away your strong room key was deposited in your house at home?—Yes.

987. Under lock and key?—Yes.

988. Now, I understand in the month of April, 1907, you became ill, is that so?—Yes, about the end of April, about the 20th I think, between the 20th and the 25th, or something about that time.

989. And were you in Ireland between that and the early part of July, or were you away?—I was partly in Ireland—still about the middle of May I think. Then I went to England.

990. But during that period, from the 22nd or 23rd of April till the early part of July, did you come to the office at all?—I did.

991. You didn't?—I did.

992. On what occasions?—I went down to stay in the South of Ireland with my uncle, George Makony, and on my return, passing through Dublin, I came in here one day.

993. One day?—Yes.

994. For how long, for a few hours?—Yes, but I gave full particulars of that in my statement.

995. I only want you to give it for the Commission?—Yes.

996. CHAIRMAN.—What time was that?—I could not without looking up say the exact day.

997. It was about the middle of May.

998. Mr. Justice.—Believe you went to England?—It was before I went to England, on the day I went to England. I would not be quite certain.

999. The Solicitor-General.—During that period, from the 22nd of April out, what did you do with the key of the strong room?—It remained in my desk.

1000. Locked up?—Yes.

1001. Had you with you the key of the desk in which it was locked?—Yes.

1002. And may I take it that it is your statement that during the time that you were away, from the 22nd of April, whether in Ireland or England, you had with you the key of the safe or desk in which the strong room key was locked?—Oh, yes.

1003-3. Where, during that period, was the latch-key of this office?—Oh, with the safe key.

1004. Both locked up?—Yes, both locked up. Except one moment. I think you said "safe key." The strong room key.

1905. I beg your pardon; it was my mistake, Mr. Mahony. The strong room key and the latchkey were both in your desk at home and locked up in that desk!—Yes.

1906. And you had the key of the desk in which they were so locked!—Yes.

1907. And you carried, as I understand, that key with you upon, I suppose, your ring of keys!—Yes.

1908. Now, you remained in England, I understand, Mr. Mahony, till the 3rd of July? (The witness made several efforts to recall the date.)

1909. I should like very much to give you that date if you can! (Witness again made several efforts to recall the date and finally said)—I don't remember the day of the month; I arrived back here on Wednesday morning.

1910. My, Jones.—That is the 3rd of July!—That is the 3rd.

1911. The Solicitor-General.—When you say that you arrived back here, did you come by the mail boat?—By the mail boat.

1912. From England!—From England, the Tuesday evening.

1913. So that you arrived apparently here, as I understand—on that morning!—The Wednesday morning.

1914. By the mail!—I did.

1915. Where did you go when you arrived!—I went to my house, in Burlington-road.

1916. Did you come to the office that day—Wednesday?—No.

1917. Did you come the next day!—Yes.

1918. On the 4th of July?—On the 4th of July. I think that was Thursday.

1919. Had you with you on that occasion when you came on the 4th of July, the latch-key of the office?—No.

1920. Where was it?—The latch-key was with the other key in my desk.

1921. At home!—Yes.

1922. Did you go to your desk at home at all on your return from England as to whether or not the latch-key and the strong room key were safely there!—No.

1923. You did not!—No. Well, not that I remember. I might have possibly looked and not remember it, but I have no recollection.

1924. You came here to the office on Thursday, the 4th of July!—Yes.

1925. And did you remain long!—I could not say how long I remained.

1926. Did you come again also on Friday!—Yes.

1927. And were you in the office on Friday from about 12 o'clock, noon, till about 5 o'clock in the afternoon?—About that time.

1928. Had you, on that occasion, with you the latch-key of the office?—No.

1929. It was still at home!—It was still at home.

1930. On that Friday, about 6 o'clock, do you remember hearing Sir Arthur Vicars ask Sir Arthur Vicars anything about the strong room?—Yes.

1931. What was that!—Something like this!—Was there anything more for the strong room? or "Was there anything?" Something like that.

1932. Well!—And I think some book or something, a pedigree book, was handed, and that was all.

1933. CHAIRMAN.—You mean a pedigree book was handed to Sir Arthur Vicars in the strong room?—Yes; some book upstairs.

1934. The Solicitor-General.—Now, you did not see, of course, the strong room door being closed that night, Friday!—I do not think I did.

1935. While you were here on the 4th of July, Thursday, and also on Friday, the 5th of July, was Mr. Shackleton in the office at all?—Not that I know of.

1936. Oh, in Dublin, so far as you know!—Not so far as I know.

1937. And it is your belief that he was not!—Well, I do not quite understand that question.

1938. Did you see him during that time?—Oh, no; I did not see him at the office and I did not see him anywhere else.

1939. Do you know Mr. Goldsmith?—I know him now.

1940. Was he at the office?—Well, if I may just make a digression. I did not meet Mr. Goldsmith till either the Monday or Tuesday after the discovery of the robbery, when, for the first time, I met him.

1941. Then I may take it from you that Mr. Goldsmith was not in the office on Thursday or Friday, the 4th or 5th of July, respectively?—No; I did not see him.

1942. Now, the robbery was discovered, we know, on the Saturday, the 6th of July!—Yes. Dupont.

1943. When after that discovery did you see your key of the strong room?—Oh, when I went back that evening.

1944. CHAIRMAN.—That was on Saturday evening?—On Saturday evening.

1945. The Solicitor-General.—Well!—When I went back—was late, of course, that evening—I took those two keys from where I had left them, and I took them round that evening, and handed them over to Sir Arthur Vicars.

1946. May I take it then that according to your statement your strong room key was in your drawer at home?—Yes.

1947. Chairman.—In the desk?

1948. The Solicitor-General.—Was it locked up in the desk?—Yes—how do you mean locked up?

1949. Was the desk locked in which it was?—Oh, yes; as far as I remember it was locked.

1950. And did you yourself open your desk for the purpose of getting it?—Yes.

1951. And you saw it was there in your desk?—Yes.

1952. And was there with it the latch-key of the door?—Yes.

1953. And were they both in the same position and place that you put them so far back in April?—Well, I could not say if I put them back in April.

1954. But when you last put them there?—Yes.

1955. There was no doubt about that?—Oh, there is no doubt about that.

1956. Now, what did you do with that strong room key that night?—After dinner I went round to see Sir Arthur Vicars, and I handed him over those keys.

1957. Which keys?—The strong room key and the key of the door, the latch-key.

1958. Did you say to him then anything why?—Well, I thought I ought to give them up to him.

1959. But did you tell him why?—I don't—(The Witness paused.)

1960. What did you say to him when you gave him the keys?—I brought them round to him, and gave them to him. I think there was some inquiry about what keys they had, or something like that.

1961. Did you give him any reason at all for giving up the latch-key to him and the strong room key that night?—Not that I can remember.

1962. Chairman.—But was it all in consequence of the disappearance of the jewels that you gave them up?—Oh, yes.

1963. Mr. BREKES.—Did he ask you for them, or was it voluntary on your part?—That I would not like to say for certain. He might have asked me, and I may not remember. You see, when this was discovered there was a great shock to us all, and after this lapse of time it is not very easy to remember everything, and I don't want to say anything for certain that I am not sure of.

1964. The Solicitor-General.—To the best of your recollection, it would occur to one as probable that there was some conversation between you and him when you gave up the keys to him?—Well, I do not think I could say for certain if there was one, or what it was. If I might have a few minutes to try and collect my thoughts on that?

1965. Certainly, with pleasure!—May I have my statement that I made?

1966. I do not think there is any objection in the world, Mr. Mahony. (Statement handed to Witness).—Because I gave this when everything was fresh in my memory. I think I said here the 18th of May. According to the statement here it was the 17th of May.

1967. That does not matter!—No.

1968. That is on the occasion of your coming back!—Yes.

1969. It does not matter one bit. It is only quite fair to the gentleman to say at once that there is not any substantial or, I think, any variance at all, between what he has said and what there is in that statement!—I see there are a few errors in this, and that when I gave that date, the 17th of May, it had to be locked up.

1970. CHAIRMAN.—We are all liable to make mistakes about matters of date?—Yes, I was quite anxious to say anything I could.

1971. Is there any record here of any conversation you had with Sir Arthur Vicars when you brought him the keys?—None. I was not asked that question.

DUNLOP.
JUN. 13, 1908.

1032. The Solicitor-General.—Do not take me as in the least suggesting that there is any variance. I only want to get at the facts, and I should be very glad, having regard to your relationship with Sir Arthur Vivers, if I could dispense with asking you at all, and everyone quite appreciates that, and that is the reason that I stated that I do not think there is a particle of variance. Will you tell me this, Mr. Mashey, about the strong room key. Could it be possible that you returned that key to Sir Arthur Vivers before you went away for that rather extended period of your illness, from April till July?—Oh, I could not possibly have.

1033. Because what would occur to one would be this—that as you were going away, being ill, you might have thought it a prudent thing to give up to Sir Arthur Vivers the key of the strong room at that time?—Well, I got ill rather suddenly during my work, and I went to see my doctor, and he said that I should go away at once. I had been over-doing it. And I went to Bray only at first.

1034. And, as I understand, your distinct recollection is that after the robbery you gave up the strong room key?—Yes; I am quite certain of that.

1035. And that you found the latch-key, with the strong room key, safe?—Yes.

1036. CHAIRMAN.—And if any witness said that on the morning on which this occurrence took place your key of the strong room door was locked up in the strong room wrapped up in oiled paper, can you give any explanation of that?—That my key was wrapped up!

1037. Then you had given back your key to Sir Arthur Vivers some time before this?—That someone had stated this?

1038. Yes?—Well, I should have said that they had made a mistake, because there was another key. I understand that there were four keys. So I should say simply that they were confused.

1039. There was a key Mr. Burtchall had. Do you know anything about that?—I understood that he had a key.

1040. Do you know what became of it?—Oh, no.

1041. Do you know whether Mr. Burtchall was in possession of that key at the time of the disappearance of the jewels?—Not that I know of. I am just trying to think if there is anything that could fix it. This is my difficulty, if I may explain. Different things happen, you see, at different times. I know that Mr. Burtchall had had a key—had a key, we will say, of the strong room—but whether he had it at that particular time, and I am afraid of mixing up one period with another,

1042. Mr. Justice.—Do you recollect what Sir Arthur Vivers did with your key when you gave it back to him on the night of the 6th?—I have no idea at all.

1043. When did you next see it, or did you ever see it again?—I suppose that I would not be able to distinguish between that particular key that I had and another key.

1044. Had you ever seen any keys of the strong room wrapped up in oiled paper in the strong room?—Not that I remember. I may have seen it afterwards.

1045. Yes, afterwards. Could you say for certain whether you saw afterwards two keys wrapped up in oiled paper in the strong room?—No, I could not. I could not say for certain whether I had seen one or whether it was before or afterwards.

1046. Mr. STANKE.—Could you say who had the key that you got of the strong room before you got it?—I understand—I could not say for certain—that Mr. Blake had it. He was Athlone Pursuivant of Arms, and he resigned about Christmas, 1906, and he was away, you see, too, at that period.

1047. CHAIRMAN.—Then you got it when Mr. Blake went away, and you are quite certain you never gave it back to Sir Arthur Vivers from Christmas, 1906, till when?—I am thinking over that key. Really I am in great doubt about this, feel in great difficulty. Sir Arthur Vivers might have been away for a few days between, say, the time I got ill and Christmas, and I might have got it at that period, and much later on again. I think it right to say that, now that I think of it, but I am not quite certain.

1048. The Solicitor-General.—Just try to search your memory. Tell me now, do I understand. Your present recollection seems to be this—that there might have been a period between Christmas, 1906, and the robbery in which you did return the strong room key

to Sir Arthur Vivers?—Yes; I may have; and I may have got it again. That is what I am not certain about.

1049. Can you tell us, according to the best of your recollection what that period was in which you might have returned it to him?—I think if I could set a calendar of the period I might be able.

1050. Can you say at all?—Well, I forgot when Easter came.

1051. It might have been during the Easter period, as I understand?—Yes, that I might have got them again. Stay. I am in great doubt about this. I think it right to tell you that I am in doubt.

1052. Quite right. But there might have been, as I understand, a considerable time up to at least the Easter of 1907 during which Sir Arthur Vivers had your strong room key?—Yes, there might have been; but I would not like to say for certain that he had.

1053. You really do not seem to remember distinctly?—I cannot remember that distinctly.

1054. And it might have been that during that time, so far as you know, he placed that key of yours with Mr. Burtchall's key?—I cannot say.

1055. You cannot say what he did with your key?—Supposing that I did give it back?

1056. Yes?—Oh, I cannot say at all. I may be mixing it up with some other period possibly.

1057. CHAIRMAN.—Are you positive that when you went to England you left the strong room key locked up in your desk?—I am actually positive of that.

1058. And that it was not taken out of that desk till the 6th of July?—As far as I am aware.

1059. And that on the evening of the 6th of July you did take it out and return it to Sir Arthur Vivers?—Yes, that happened for certain. There is absolutely no doubt about that.

1060. The Solicitor-General.—Now, you, of course, Mr. Mashey, we all know, never had the key of the safe containing the regalia?—Never.

1061. You never had it in your possession at all?—I do not think I ever had it in my hand. I can certainly say I never had it in my possession.

1062. There were then four keys of the strong room?—Yes.

1063. Mr. Burtchall's key, is not that so?—Yes, I think so.

1064. Your key?—Yes.

1065. Stivey's key?—Yes.

1066. And Sir Arthur Vivers' own key?—That I do not know, whether Sir Arthur Vivers had a key or not.

1067. Who had the fourth key?—That I do not know about.

1068. One would be inclined to suppose that if there were four keys the principal of the office would have had one?—Well, but then that is a supposition, is not it? I do not know exactly what I am to answer to that.

1069. So far as you know, had Sir Arthur Vivers himself a key of the strong room?—I cannot say for certain—I guess if there is a fourth key I conclude that he had it. Whether he had it in his pocket or somewhere else, I suppose it was in his custody.

1070. That is all. Those were Burtchall's key, your key, Stivey's, and Sir Arthur Vivers'?—Yes.

1071. That exhausts the four keys?—I mean I always understood there were four keys, but really there might have been six, for all I might have known.

1072. Then Burtchall's, so far as you know, was in the Strong Room, was it?—I do not know.

1073. Now, of this you are certain, that your own key was locked up at home?—Yes.

1074. And if Burtchall's key was in the strong room there were then only two outstanding keys, viz., Stivey's and Sir Arthur Vivers'?—Yes.

1075. With which the strong room door could be opened?—Yes.

1076. CHAIRMAN.—What time did you arrive in Dublin on the morning of Wednesday, the 2nd of July?—Well, I always come by the Mail.

1077. What is the ordinary time of the Mail to arrive?—Before I answer that may I just make a statement. I generally have a cabin and go on sleeping, and I get up to Dublin about nine o'clock.

1078. About nine o'clock?—No. I am wrong there. About half-past eight or so.

DUNKEE.
JULY 14, 1908.

1132. Then you came to the office that day?—No, I did not. I was tired, because I had been in England doing various things the day before and travelling all night. I rested, and did some things at home.

1133. You came to the office the next day, the 4th July?—Yes.

1134. And did anybody in the office tell you that the outer door had been unlocked on the morning of Wednesday, the 3rd?—No. Nobody told me that. I am quite certain of that.

1135. Did Sir Arthur Vicars never mention that circumstances to you, that the charwoman, coming on the morning of the 3rd July, had found the outer door unlocked?—I might have heard it discussed after the robbery.

1136. But I mean on the day after you came. The day after your arrival?—Oh, no, sir. I never heard a word about it prior to the discovery of the robbery.

1137. Was anything said to you about the strong room door having been found open on the morning of the Saturday?—When I came in?

1138. Yes?—Not a word.

1139. What time did you come in on Saturday?—I remember I had considerable difficulty when I was giving information last July in remembering exactly when I came in that morning, but it was between eleven and twelve.

1140. How long did you remain in the office that day?—That Saturday?—Oh, very late.

1141. Now, did Sir Arthur Vicars at any time during that Saturday tell you that the strong room had been found open that morning?—Not that I remember.

1142. Did he ask you at any time where your key of the strong room was?—I do not think so.

1143. Did he make any inquiry at all about the key of the strong room which he knew was in your possession?—Not that I remember. There was some conversation, I think, something about keys, but whether it was afterwards or whether it was that day I cannot remember.

1144. Before you gave up the key to Sir Arthur Vicars in the evening had there been any conversation between you and Sir Arthur Vicars about the strong room?—Oh, no. Not that I can remember. About the strong room having been found open?

1145. Yes?—Oh, no.

1146. Was the circumstance ever mentioned to you at all?—On Monday, I think.

1147. But I mean on the Saturday?—Oh, no. Not on the Saturday. I know that the messenger, when I came in, never said a word about it, because he generally keeps my letters and things there on a little table, and when I walk in in the morning it is my custom to go and get them and then go upstairs. That is, I mean, whatever might come to me personally as distinguished from the Office.

1148. Well, after the discovery of course Sir Arthur Vicars told you about the jewels being lost on the Saturday?—On the Saturday.

1149. Yes?—Well, I do not know how exactly to answer. But may I explain what happened about the matter?

1150. Yes?—I was upstairs. Sir Arthur Vicars called me once or twice, and I think I had just come back from lunch or something, and I came down stairs and came in here, and I found him looking ghastly white, with the case, I think it is moreover, in which these jewels were kept, open, and he said "Gone?" or something like that.

1151. Then, of course, you had some conversation about how possibly they could have been abstracted?—I am afraid I do not remember what took place, or what we said.

1152. But did he at that time say the strong room door had been found open that morning?—Oh, no.

1153. He did not ask you where your keys were, or whether anybody could have had access to your key?—Oh, I am certain he did not, and I am prepared to swear that, and another thing, I do not suppose it occurred to him to ask, because it was not the strong room that we discovered the loss in. It was here, the safe, and I had no key of that safe.

1154. But the finding of the strong room door open at the same time was certainly a very curious coincidence, to say the least of it!—When the messenger heard about it that morning?

1155. Yes?—I consider it very curious.

1156. And you and Sir Arthur Vicars had no conversation about that at all?—Oh, I may have had it, and I am certain I did have several conversations with Sir Arthur Vicars afterwards, because I thought that was a very curious circumstance indeed.

1157. Mr. STAKER.—Were you in Sir Arthur Vicars' room when Shirley went up there, about a quarter past two, on the 5th?—I am sure I must have been, because when Sir Arthur Vicars found this out he called me; and I think I was in his room.

1158. Did you see Shirley there about that time?—I am sure I must have seen him.

1159. What was Shirley doing in the room?—That I do not remember. I do not think I paid any attention to it at all.

1160. Was he sent on any message, or given any direction?—Well, I know I have heard what he was sent on, but I personally do not remember that!

1161. Do you remember his being in the room?—Well, I know, you see, from conversation and everything that he was, but if I were asked whether I, personally (witness did not finish sentence).

1162. Was there a collar of the Order of St. Patrick in the room at the time?—Oh, yes. That came that morning.

1163. Do you know what became of it?—That came, and it was opened by me. The messenger brought it up. It was Lord de Ros's collar.

1164. Can you say what became of it?—It remained there till Sir Arthur Vicars came in. He came in very shortly afterwards, after it came up from West's.

1165. But you do not know what afterwards because of it?—Oh, I found it down here.

1166. You do not know how it came down?—I do not know that the messenger brought it down; but I do not remember.

1167. You know it from memory?—I know it from memory; but if I am asked if I did actually see him bring it down I cannot say that I did. It is possible I may have seen it, but it did not impress me at the time.

1168. The Solicitor-General.—Is there any book in the office, Mr. Mahony, recording the attendance of the officials—the Herald, Pursuivant, or other officials of the office?—Not that I know.

1169. Mr. STAKER.—Is there any official diary kept by any officials in the office?—In the strong room there is some book for entries.

1170. But is there no personal official diary kept by the officials?—No, I do not keep a diary myself; and I am sorry, sir, that I did not, now. But these official entries are more in relation to the official work, so that things may be put on record for others afterwards. There is a letter book, of course, that will tell a good deal which would help you as regards the date. Should I remember any other things I will tell you.

1171. The Solicitor-General.—If there is any matter of importance, I am sure the Commissioners will receive it from you.

1172. CHARTER.—If there is any supplemental evidence you can give we shall be quite prepared to hear it from you?—If there is anything that occurs to me.

Mr. JOHN O'KEEFE examined by the Solicitor-General.

1173. You are in the employment, Mr. John O'Keefe, of the Board of Works?—Yes.

1174. And your business, I understand, is to attend to the gas and water?—Yes, sir.

1175. You have been here for the last five years—Six years.

1176. Do you visit the Office of Arms for the purpose of lighting the clock in the Tower?—Yes, sir.

1177. What was the last occasion on which you came to the Office for that purpose?—About the 24th of March.

1178. 1907?—Yes, sir.

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DUBLIN.
JUN. 12, 1894.

1166. Had you a latch-key for the outer door?—Yes.

1167. From where did you get it?—Christopher Corcoran's son—the son of the deceased man.

1168. He was your predecessor in the same work?—Yes, sir. His son gave it to me.

1169. And on the occasions you came here to light the clock in the Tower did you use that key for the purpose of entering the office?—Coming in the front door—that is only the front door.

1170. How, then, did you approach the Clock Tower?—By stairs, which has no connection with any other door, only to walk in the door and upstairs—is a continuation upstairs.

1171. Going by the stairs you eventually reach the Clock Tower?—Yes.

1172. And having done your work you come down again?—Yes, and close the door.

1173. And you have no resort at all to any of the other rooms in the Office?—No, sir.

1174. Mr. Jones.—Is it the outer door of this office he is talking of?—The outer door, that is the front door coming up.

1175. The Solicitor-General.—You never had to come into the present place, where we are now sitting?—No.

1176. CHAIRMAN.—You just went straight up to the Clock Tower, and came down?—Yes, sir.

1177. The Solicitor-General.—Did you ever see any jewels here?—Never, sir.

1178. Did you know there were any jewels?—Never, sir; and didn't know there was such a thing in the place.

1179. And the last time you were here was about the 24th of March?—About the 24th of March the season closed. When the season closed they stopped lighting the clock, and then I stopped also.

1180. When the Castle season terminates the Clock Tower is not illuminated by night?—No, sir.

1181. And you have no business here after that?

1182. What did you do with that key?—I kept it in my possession from the time I got it from Christopher Corcoran till the time Mr. Kerr of the "G" Division took it up from me after the jewels had been stolen. Mr. Kerr has it at the present time.

1183. That is the detective?—Yes, sir.

Detective Officer OWEN KERR examined by the Solicitor-General.

1184. You are a Detective Officer of the "G" Division?—Yes, sir.

1185. And how long have you been doing duty in connection with the Castle?—Five years, last August.

1186. What is your duty at night here in connection with the various offices?—To inspect them, and see that all is correct, and no fires in the place, and nothing dangerous in the building, and so on concealed.

1187. How many offices have you to inspect with that view?—The State Apartments, the terrace of buildings known as La Touche's Bank at the rear of this office, the Chief Secretary's office and all connected with it, and private residences of Court officials when they are open here when anyone is employed in them. I have no keys of the residences, with the exception of Sir Anthony Welden's house.

1188. Have you the keys of the several offices that it is your duty to inspect?—I have.

1189. And have you had those keys in your possession for the last five years while performing that duty?—Yes.

1190. Tell me; when, in the summer time, do you begin your nightly inspection?—As soon as the offices are vacant. I do the State Apartments always before half-past five, and I do that immediately unless that something prevented me, and then I would do it as soon as possible afterwards. I never take a light into the State Apartments.

1191. No?—Winter or summer; when the workmen are gone, and closed up and go for the night.

1192. And in the summer time what is your usual hour for inspection of the State rooms?—Well, it is generally finished at six, but I may say that in the early part of this summer it was much later, because workmen were employed there as late as half-past seven during the outside painting.

1193. Last year, 1897?—Yes; until some time early in June, the 5th or 6th of June. The usual hour prevailing after that was half-past five.

1194. From the 5th or 6th June out?—Yes.

1195. And your inspection would be from half-past five to six o'clock?—Yes, the State Apartments.

1196. What apartment did you inspect after that?—La Touche's Bank, as it is called, that terrace of buildings.

1197. How long did your inspection of that take habitually?—I should say 25 minutes would be the time.

1198. That would take us up to possibly half-past six o'clock. Where next did you go?—I would go to this office.

1199. Was the inspection of this Office of Arms here the third on your beat?—Yes, that was the general rule, in fact, I might say always. I may go to the further off one, and take them on my way down.

1200. And from La Touche's Buildings would this office be the first then on your way?—It was.

1201. And your excuse was then to examine it?—To examine it.

1202. And your time, as a rule, would be in or about half-past six o'clock?—In or about half-past six, and sometimes later.

1203. And would it be generally later?—Well, it might be as late as 8 o'clock on rare occasions, because I might not commence my inspection immediately after office hours.

1204. I suppose it was generally known through the place that you were the officer making the inspection?—Yes, sir; it is generally known in the staffs of the several offices.

1205. That an inspection is made and is made by you?—Yes, made by me.

1206. Now, supposing you came into an office in which there happened to be some official remaining, would you still make your inspection in his presence?—Well, I would apologize, because I make it a point not to disturb people in their offices, and it happened on many occasions that I did go in before all the officials had withdrawn, and I apologized and withdrew.

1207. And would it be your course to go back again?—It would, sir, or I would inspect the remainder of the building or the remainder of the office, and if it was a responsible or senior official I might not go back to it that night.

1208. Supposing, in other words, that a high official of an office happened to be present in the office when you came for your inspection, do I understand that you might make your inspection, and under these circumstances would not again that night go back to the office?—That is so.

1209. I suppose that would apply to this office?—It would.

1210. Then supposing Sir Arthur Guinness was here and you came in, in the course of your inspection, you might not again return because of the mere circumstance that he was present?—I might, sir, sir. I might say, sir, that in any office that there is gas lighting in it is an unusual thing for high officials to extinguish the gas after them, and I would always come back in such a case and put out the gas.

1211. But, of course, there was no gas lighting in the summer season?—Not in the summer season; not in July.

1212. And then that reason for going back would not exist in this case in the month of July?—It would not.

1213. Do you remember coming to this Office of Arms on Friday evening the 5th July?—I do, sir.

1214. Before I came to that date I must ask you about the previous Tuesday night?—Yes; I was here on the Tuesday night.

1215. Every night that week?—Every night that week.

1216. Have you any recollection of what hour, about, you were here on Tuesday night?—Well, I would say about 7 o'clock.

1217. How did you admit yourself to the office?—Always by means of a latchkey of this office.

1233. And would that apply to Tuesday night?—
I did.

1234. Did you open the door with your latchkey?—
I did.

1235. And was the door locked when you came in?—
It was, sir.

1236. I believe unless it was locked your latchkey
would not operate?—Well, I have been experimenting
since on it, and the latchkey would operate, but I
would say that it would require no pressure to turn it
round and it would, of course, attract my attention.

1237. Is it your evidence that the door was locked
on Tuesday evening when you came here for your
inspection?—It was, sir.

1238. And you made your inspection of the office?—
I did.

1239. And then left by the outer door?—Left by
the outer door.

1240. CHAIRMAN.—There was no one in the office?—
No one in the office.

1241. The Solicitor-General.—After you left the
outer door what did you do with it?—I always pull
it after me; I turn the lower handle and put pressure
on it to see if the bolt was shot.

1242. And did you do that last night?—I did, sir,
and every night.

1243. So that, I understand, that when you went
out you turned the handle and put pressure on it, and
the door remained in position?—Remained in
position.

1244. Which led you to the conclusion that the
door was locked?—Yes; that the bolt was shot.

1245. That was the state in which you left it?—Yes.

1246. Mr. STEARNE.—Did you go into the rooms in
the office?—I did, sir, every room.

1247. The Solicitor-General.—In making your in-
spection you go into every room of the office?—Every
room of the office, and every place in the basement.

1248. Every place in the basement?—Basement and
cellars and all.

1249. Cellars?—Coal cellars. They go in right
under the carriage-way in the entrance to the Castle
Yard.

1250. And do you every night make a complete and
exhaustive inspection of that kind?—I go through
every place.

1251. Mr. JONES.—There is no communication be-
tween this office and the cellars?—There is, sir; the
coal cellars of this office are outside the office under
that carriage-way.

1252. Mr. CHANSON.—Would it be possible to get in
from the outside through the cellars?—It would not.

1253. Why?—Because a sentry walks up and down.

1254. If there was not a sentry there?—There is a
coal stopper.

1255. Could a person get through it?—No adult
person.

1256. If they could get in through the hole could
they get into the office?—Oh, if they did get in they
could get into any part of the office. I say they could
get from one cellar into the office. But, however,
there was a latch put on to a staple, and if they went
in they could not get out without breaking the door.

1257. Is that the only opening down to the coal
cellars?—Yes; there is another one further along, a
corresponding one.

1258. CHANSON.—Only a little boy could get down
that?—Only some boy, and no one could get in, be-
cause there is a policeman there and a sentry.

1259. The Solicitor-General.—You make a com-
plete inspection of every office and every room, in-
cluding the cellars, night after night?—I do, sir.

1260. And did you make your inspection on the
night of the 2nd July?—Yes.

1261. And then you told us that there was no one
present at all?—No one present.

1262. And you locked the door after you?—Locked
it after me, and pulled it and tried and tested it.

1263. CHANSON.—And of course you never put
back the catch of the lock?—Oh, no, sir. I pull the
door and it hangs.

1264. But suppose you came to the office for the
purpose of inspection, and you went to put back the
catch of the lock?—It is with the key that I would
open the door.

1265. But after you got in?—Oh, no; I always pull
out my key, and put it in my pocket, and close
the door after me.

1266. If the latch was drawn back and caught so
that it would not operate on the door at all it could
not have been you that did it?—Oh, no.

1267. Mr. STEARNE.—Did you always close and lock
the door after you when you came in, and keep it so
while you were in the house?—I closed and bolted it
after me, and it shot. Once I had opened it I would
pull it back again, and draw the door strongly after
me, and then it shut by itself without the aid of the
key.

1268. The Solicitor-General.—Now, you remember
Friday night, the 5th of July?—I do, sir.

1269. What time did you come that evening to
make your inspection?—Well, soon after 7 o'clock.

1270. Did you make an inspection then going
through all the offices?—Through all the offices, and
the whole place.

1271. And did you observe anyone present in any
single office?—No, sir; the blinds drawn and place
still.

1272. When you say shortly after 7, can you give
the Commission any idea of about how soon after
7 it was?—Well, when I had my inspection of this
house finished I went out to the barrack, where I re-
side, and remained there more than an hour, because
I paused and thought the Chief Secretary's Office
would not be vacant at the time, at least all the
officials would not have been gone, and the office-
cleaners. There come in office-cleaners to these
offices, it being their duty to attend, and I always
went round when the office-cleaners had cleaned out.

1273. In other words, as I understand it, when
you had completed your inspection here it was not
your time to begin your inspection of the Chief Secre-
tary's Office?—It was not, sir.

1274. CHANSON.—There were some people in the
Chief Secretary's Office?—Yes.

1275. The Solicitor-General.—And you spent your
time in your barrack?—Yes.

1276. At the Exchange Court?—Exchange Court.

1277. Having regard to that, can you give
any idea of how soon after 7 o'clock it was that you
were here?—Well, I would fix it in that the inspection
was finished at half-past seven.

1278. Are you certain of that?—Well, I might be
five minutes astray. I do not often look at my watch,
but generally my time at that hour of the evening
is very well gauged.

1279. Well, when you were making your inspection
that Friday evening, did you come into this room?—I did, sir; in fact it was the first room that
I came into.

1280. You knew of the presence of the safe here?—
I did.

1281. Did you know at that time whether that
safe contained jewels?—I had no knowledge that
jewels were there; I knew that the gold cellars were
there.

1282. But you did not know that the jewels were
there?—I did not.

1283. Did you, on that occasion, when you came
in, see that safe?—I saw the safe.

1284. Did you make any examination at all on that
evening to see whether it was locked or not?—Well,
I saw the handle in its normal position, dropped it
down, so that it was not disturbed, and it was al-
ways locked. I sometimes tested it, but I did not
toss it on that evening. It was only when workmen
or strangers would be employed in this office that
I tested the presses and doors, and looked for papers
that might be strewn about, or portable property
that might be carried off.

1285. In other words it was not your habit to test
the safe?—It was not.

1286. You were satisfied that you saw it apparently
locked?—Yes; apparently locked.

1287. And do you know the strong room door?—I
do, sir.

1288. Did you see that strong room door that Fri-
day night?—I did, sir.

1289. When you saw it was it open or locked?—It
was closed and bolted, and I am sure it was locked.
I have always got the habit of jerking it to the right
to see, and I could not swear I jerked it to the right
on that occasion, but I feel sure that I did.

1290. It was your habit in that case to work the
handle?—To work the handle; and I sometimes got
hold of the handle and swing myself round the
corner by it, and then went down to the basement,
and from the basement by the stairs, commanding with
the rooms on the floor, and going up to the higher
ones.

1291. But as to the position it was, was it closed
too?—It was, and bolted, with the handle down; and

DESK.
JUN. 23, 1908.

DUBLIN.

Jan. 15, 1886.

I am almost positively sure that I jerked the handle to the right to see that it was locked.

1278. CHARMAN.—It could not have been standing ajar?—It could not have been standing ajar.

1279. You would know that at once?—I would, and I would notice if the handle was crooked, which would indicate that the bolt was not shot, and I am sure, and almost certain, that I jerked the handle to the right.

1280. The Solleter-General.—On that night when you were here did you examine the basement—did you use any matches in the cellar at all?—I used no matches in the basement, but I did in the coal cellar. One coal cellar in a dimmed cellar; it was the only means of light that I had at that time.

1281. Now, having made your inspection that night, did you leave in the ordinary way, and close the door after you?—I left in the ordinary way, and closed the door behind me.

1282. And then you left, and went to Exchange Court Barracks?—Yes; and after some time came back and finished my inspection of the Chief Secretary's Office.

1283. Did you come out through this gate here?—I did; through this gate.

1284. And did you come back through that gate?—I did. (Witness points out to Mr. JOHN the position of the Chief Secretary's Office, and the extent of his inspection).

1285. How long does the inspection of this office take, as a rule?—Well, about twelve minutes or fifteen.

1286. Did you ever come in when Sir Arthur Vicars was here?—Well, a few times.

1287. Do you remember Saturday, the 6th July, the date of the discovery?—I do, sir.

1288. When on that date did you hear that something was wrong in the office?—Well, about ten minutes or fifteen past four.

1289. Did you come up here?—I did, sir.

1290. Where did you come to?—I came to this office.

1291. Who was here?—Sir Arthur Vicars was here, the Assistant-Commissioner of the Dublin Metropolitan Police, Superintendent Lowe, Mr. Mahony, and, I think, Mr. Heelock and Mr. Burdett. Stivey came to the door when he heard me at it; but I do not know whether he followed me in.

1292. Had the opening of the outer door—the fact that the outer door was found open on the Wednesday morning—been reported to you at all?—No, sir.

1293. When first did you hear that from anyone?—I heard it about three o'clock on Sunday, the 7th of July, from Mrs. Farrell, the office cleaner, at her own house.

1294. Was she the first person you heard it from?—She was the first person I heard it from.

1295. Coming to that occasion on the Saturday, when you came into this room, do you remember that when you came into the room Sir Arthur Vicars addressed you?—He did, sir.

1296. What did he say to you?—“Here, the jewels are all gone; some of the smart boys that have been over for the King's visit made a clean sweep of them.”

1297. When he said that to you, the door of the safe, I believe, was open?—It was standing open, and the case inside in it. There might have been one case out or so. My recollection is that they were inside all of them.

1298. Did he tell you how the safe came to be discovered unlocked?—He did. I then asked him one question—I did not think it proper to ask many questions when my superior officers were present—but I ventured to ask one question: “How did it come to be open?” and Sir Arthur Vicars said, “The Board of Works again; I have asked them for a good safe, for which I have correspondence to show, and they refused it and they did not give it to me; I have no confidence in this safe.” Then after describing how it was found out he said, “I sent Stivey with a collar,” he used two letters of the alphabet, I don't know exactly what they were, S-S or something like that; I forgot the two noblemen's names, Lord Lansdowne or Lord Erne, but since I understand it is Lord de Ros, “and he came and found it open,” and then Stivey, whether he was in the room or coming in after me or not, came forward and described how he found it open.

1299. Did Stivey say anything about the number of years he was in the office?—He said, “Though I am six years”—it might be more or less, but that is my recollection—“I am a little over six years” or “near six years, I never had that key in my hand before.”

1300. When he said that, did Sir Arthur Vicars say anything?—He said, “Yes, that is so. I was thumped owing to pressure of business and I sent Stivey, but I was coming immediately after him.”

1301. And did he say anything about whether he had lost that key ever out of his possession before?—He said, “That key was always in my possession and I never left it out of it before.”

1302. Now, when he said that he had no confidence in this safe did he add anything to that?—He said, “We have in the strong room a safe”—well, it was some time afterwards in reply to a remark made, my recollection is that it was made by Superintendent Lowe.

1303. Just tell us what he said, and, first of all, what was the remark that called forth the statement?—“What about the strong room, were there any marks on the door, or anything missing from it?” and he said, “No, it's a Milner's safe and it is quite secure,” and he mentioned another safe company, “Milner or Child's looks are burglar-proof.” I quote all these words from my recollection; I have not any particular note, but I give as far as I know, the weight or meaning of the words.

1304. On that occasion, in this very room, do I understand you to say that Mr. Lowe asked him with reference to the strong room door?—He did, sir; that is my recollection of it.

1305. What was it that he asked him?—Whether there were any marks on the door or was everything right, and he said “Yes, it's a fine safe, a Milner safe, the Milner's and Child's safes are burglar-proof, but the Rattray's are not up-to-date.”

1306. Obsolete or not up-to-date?—Up-to-date was the word used.

1307. Did he say anything as to how the lock in the strong room door could be opened, whether only by his own key or anything to that effect?—He did. He said, “It's burglar-proof and could not be opened only by its own key.”

1308. Did he be on that occasion, while that conversation was passing, at all say that in fact the strong room door had been found open that morning?—No, sir.

1309. And while you were present in this office on that Saturday did you hear it said by anyone that the strong room door was found open?—No one; no mention of it.

1310. CHARMAN.—Stivey was present at this time?—Yes; he must have been present. Stivey attended knocks at the door. Mr. Lowe was present for a short time; I think most of the people here were here when this conversation passed.

1311. Was it after Stivey said “I have been six years in the office and had never handled that key before,” that the conversation about the strong room took place?—It was, sir, at a considerably later stage; it may have been half an hour; it was not a continuation of the conversation.

1312. Stivey was present?—I would not say he was present, because he answered knocks at the time.

1313. And he was going backwards and forwards?—Backwards and forwards. He had not quitted the premises.

1314. At any rate, Stivey did not say anything to you about the strong room door having been found open?—He did not.

1315. And, on the contrary, Sir Arthur Vicars said it was up-to-date, and could only be opened by its own key?—Yes. I was present for most of the evening, except when I was sent on one message to Exchange-court by Superintendent Lowe, and nearly all the people came and went, and at a later stage the Chief Commissioner, Sir John Ross, came.

1316. Mr. STANNETT.—When did you first hear that the strong room door had been found open?—At about 3 o'clock on Sunday, the 7th July, from Mrs. Farrell, the office cleaner.

1317. MR. JOHN.—At the same time that she told you about the strong room door being open on the Wednesday?—Yes, sir. I learned the two at the same time, and learned from her also that she had reported it to Sir Arthur Vicars, reported both incidents to Sir Arthur Vicars through Stivey, the messenger.

1318. The Solleter-General.—Now, do you remember anything being said on that occasion here about the diamonds, and what would result if they were offered for sale?—There was some remark made by somebody—I do not know who—“Could the diamond be identified?” and Sir Arthur Vicars said they could be identified, as some time ago West's people, or someone in West's, the jewellers—and he did not

mention any particular individual—and that if they were lost or stolen, the diamonds could be identified even out of their setting, so that there would be a good chance of recovering them.

1339. Kindly repeat so far as you can the words used by Sir Arthur Vicars!—“If they are offered for sale, it will lead to their recovery, as West's people, I imagined from them some time ago in case they were lost or stolen could they be identified, and I was informed they could, even out of their setting.” “Brazilian diamonds.”

1340. Do you know Sir George Holmes?—I do, sir.

1341. He is Chairman of the Board of Works?—He is.

1342. Did Sir Arthur Vicars say anything on that occasion about a conversation he had with Sir George Holmes?—He did, sir. And these were the words so far as I recollect: “I met Sir George Holmes at a party,” and I think he mentioned the word party, “and I told him in conversation that I would not be responsible for the custody of the State jewels unless he supplied a proper safe.”

1343. Did he indicate at all when it was that he made that statement to Sir George Holmes?—I do not think he put a definite time on it, but it was a short time ago.

1344. Now, did you inspect the Office of Arms on that Saturday evening?—I did, sir.

1345. And did you again on Sunday, the 7th July?—I did.

1346. Did you inspect it carefully, and with a view to discovering, if possible, any traces of burglary?—I did, sir.

1347. Or any forced entry?—Any forced entry.

1348. And did you find any?—None. I examined the ashes and the outer doors and windows.

1349. Did you find in the vicinity of the safe here any parcel or paper apparently that had been used for the purpose of wrapping jewels belonging to Sir Arthur Vicars' family, that were said to have been snatched?—There was a heap of old papers below in the basement, and Sir Arthur Vicars described and said his brother's jewellery was stolen out of a parcel, he said a sealed parcel, and would know it at once. He had no copy of them, he said; it was a sealed parcel, wrapped in brown paper, and I looked to see if I could get the parcel of brown paper in which it was wrapped.

1350. Did you find any trace of it?—No, I did not find any trace of it.

1351. Used you to make inspection at all on Sunday evenings here?—I used, here.

1352. And Saturday nights?—Yes.

1353. Every day of the week!—Every day of the week.

1354. Did you ever find the outer door open?—I never found it open, unless during office hours, and people outside, and while the office staff were here.

1355. On Monday, the 8th of July, you came here by direction of Superintendent Lowe?—I do not know that I was directed, but I came here.

1356. And there was an expert on that day to examine the lock of the strong room?—Oh, yes, I was directed to do that, and I went and brought Mr. O'Hare.

1357. That is the expert?—He states that he is an expert.

1358. Did you see him try the strong room door?—He did, sir.

1359. CHAPMAN.—What houses does he come from?—He is the manager of Milner's Safe Agency in Dublin.

1360. The Solicitor-General.—Was the safe here from which the jewels were taken guarded from the morning of the 8th July till the morning of the 9th July?—In consequence of something Milner's man said, there was a constable on duty here, and he was to allow no one to tamper with it in any way. There was a constable on duty all the time. A guard was mounted over the safe by Superintendent Lowe.

1361. When was that guard put there?—On Monday evening, in consequence of something that had passed here.

1362. And it was also examined by the expert?—That was on the following morning, Tuesday morning.

1363. Did you on the morning of Tuesday make a minute search?—Yes, accompanied by Sir Arthur Vicars; all the offices, and the premises and every piece of furniture in the place.

1344. In making that minute search, was there any trace at all of a forcible entry?—No trace of a forcible entry.

1345. And were the jewels searched for in every hole and corner of the place?—Every hole and corner of the place; and we examined the doors and windows very carefully.

1346. Were you present on a subsequent occasion when the chimney shafts were examined?—I was.

1347. Were the coal cellars examined?—They were examined superficially at first, and then the Board of Works got a man to turn the coal over grain after grain, and it was all thrown out of the cellars and put back again; that was only in cellars where there was any coal. I turned it over with the shovel myself.

1348. Now, on the 8th of July, that Monday morning, did Sir Arthur Vicars tell you whether or not he had a key of the outer door?—On Saturday evening, the evening of the discovery here, I asked Sir Arthur Vicars had he a latch key of the door. I had a reason for asking that. And he said, “I had a key, but I think I lent it to Mr. Milner.” Mr. Milner was present at the time, and he said, “I think I had given Sir Arthur Vicars the key, but I am not sure. I will have a look when I go home.”

1349. CHAPMAN.—That was a latch key?—A latch key of the outer door.

1350. The Solicitor-General.—On the 8th July, Tuesday, do you remember whether Sir Arthur Vicars had one or two keys of the outer door?—I may be mistaken about the 8th, but I believe it was on the Monday instead of Tuesday.

1351. Well, on the Monday!—Sir Arthur Vicars had two latch-keys of the outer door, and he said “This is one that I got from Mr. Milner, and this is another one that I obtained,” and added, I believe, “I discovered one this morning,” but I am not sure.

1352. Now, on that question of mislaying, do you remember, on the 8th June, some time previously, Sir Arthur Vicars calling to Exchange Court to get a loan of a key to let himself into the office?—Yes, there was one of the officers of the Department, who said a gentleman from the Castle had been there. He described him, and did not give any name, and he wanted to get a key. So, from the description I recognised it was Sir Arthur Vicars, and I came up to this Yard here. The officer had told me he was gone about ten or fifteen minutes or so, and I stood here on the outside of that window, and saw Sir Arthur Vicars speaking with Sir James Doughty down near the archway leading from the Upper Castle Yard to the Lower Castle Yard, and I stood in such a position that he could see me. When he saw me he took leave of Sir James, and came and said that he wanted the loan of my latch-key to get into this office, as he had some work to do. And he said “My own key I mislaid.”

1353. That was Sunday or a week-day?—That was on the day of the celebration of the King's Birthday. It was an Office holiday, and there are very few people come in on an Office holiday to the Castle.

1354. He did not have a key with him?—He did not have the key with him.

1355. Did he say that he had mislaid it, at that time, do you recollect?—Mislaid is my recollection. But there was nothing to fix its importance in my mind, but afterwards I was pondering it over.

1356. And on that occasion he said that his key was mislaid?—“The key was mislaid,” or “I could not get it,” or “I could not find it.”

1357. CHAPMAN.—But whatever the words were the fact was that he could not get his own key?—That he could not get his own key.

1358. The Solicitor-General.—Now, do you know anything at all about the strong room key?—I do not know how many there were in existence, or who possessed them.

1359. Never saw them?—Never saw them.

1360. Ever, up to the present time?—Not up to the time of the loss of the jewels, and I believe I did not see them till that day of the 8th of July, in consequence of what Mrs. Farrell said the importance of them cropped up. I believe I might have seen them on that Saturday in Sir Arthur Vicars' possession here.

1361. But when did you first see a key or keys of the strong room?—Well, on the 8th of July I did see a key, and probably more than one on that day.

DISTIN
JUN. 15, 1908.

DUNLOP.
Jan. 15, 1906.

1362. How many?—I do not think I saw any except what Sir Arthur Vicars had on his chain.

1363. Was that on his watch chain?—It was. It was on a gold rope chain. I do not know how many keys were on it, but he had them on a ring he wore. On a gold rope chain which he wore attached to the watch, and I remember taking notice that it was a gold rope-pattern chain.

1364. Did you, on that occasion, on Monday, see any key or keys that were kept in the strong room?—I did not see those at any time on that occasion. No.

1365. But later on?—I saw one key later on of the strong room.

1366. When was that?—That was when making a particular search of the strong room on Tuesday, the 9th of July.

1367. Whose did you see that key?—Well, Sir Arthur Vicars took it out of a case or drawer. It was something that stands on the floor of the strong room, and though I saw it at the time I would not be sure whether it was a glass-case or a locked drawer. I do not remember now.

1368. But how did you come to see the key?—Well, Sir Arthur Vicars, anyhow, had then a cloth, or I think it was a paper, but whatever it was it was saturated with oil, and he said, "This is the fourth key." We had had some private conversation about keys on Saturday outside the strong room door. I recollect having a conversation with him about the number of keys, and in whose possession they were.

1369. CHAIRMAN.—That was on the 8th?—That was on the 8th. That was the first time I spoke to Sir Arthur Vicars about the door being found open, and Sir Arthur Vicars said, "There were four keys of the strong room door. I have one, Mr. Mahony has one, Stivey has one, and there is one locked up in the strong room." Mr. Mahony was not present. I then asked were any of these keys missing lately, or were they all present on those two days, the Friday and Saturday, and he said, "They are all correct," and added, that Mr. Mahony deposited his key, or surrendered his key, or gave me his key, when going on holidays, and that he had not taken it back.

1370. Was that on Monday?—On Monday, Mr. Mahony was not present, but Stivey was. I had not noticed that Mr. Mahony was absent on holidays at all. Of course, his hours might be irregular, coming in and out, and it was the first time I heard Mr. Mahony was on holidays, and it struck me. I asked him the question here it was that he was back and working, and did not take back possession of his key of the strong room, and it was Stivey that answered, and he said, "Though he is back, he has not taken to work yet. He only puts in an appearance for an hour or two, and that is why he left early on Friday evening. He merely puts in an appearance in the afterwards."

1371. Do I understand you to say that what Sir Arthur Vicars said was that Mr. Mahony had not got back his key?—That is my recollection.

1372. Or that he had not given his key to Sir Arthur Vicars?—No; that Mr. Mahony had not got back possession of his key. That is my recollection.

1373. After coming back from holidays?—Yes. That is my recollection.

1374. Could it be that Mr. Mahony had not yet restored the key that he had?—No. My recollection of it is as I have said; and it is a question that I put at the time that prompted it that impresses it so clearly on my recollection.

1375. Well, what is it now?—Mr. Mahony's key is also in the strong room; he did not keep possession of it. Or I would not be sure it was not Stivey said he had not got possession of it yet; and that struck me, and it was in consequence of that I asked him how it was Mr. Mahony was back working in the office and had not recovered possession of his key, and it was then that Stivey replied.

1376. Mr. STAKER.—Who said that Mr. Mahony's key was in the strong room?—Sir Arthur Vicars, and he said, "He gave it to me, and I deposited it in the strong room when going on holidays."

1377. That would make two keys in the strong room?—That would make two keys in the strong room.

1378. You saw one of them?—Yes, at a later period.

1379. You never saw the second one?—I never saw the second one, but they were satisfactorily accounted for, the four keys, both on Friday and Saturday. It

might have been there, but I do not recollect seeing it.

1380. CHAIRMAN.—When Sir Arthur Vicars took out those keys of the strong room, he held it up, and said, "This is the fourth key?"—This is the fourth key.

1381. But did he account for the other two keys; didn't you say that he said Mr. Mahony's key was in the strong room?—Well, I did not ask him any questions at that time.

1382. Did you understand that the key that he took out was Mr. Mahony's key?—No; I understood that it was one that nobody used for some time at least—that it was an extra key.

1383. Did Sir Arthur Vicars account for what had become of Mr. Mahony's key which on the previous day he said was in the strong room?—I did not ask him, and he merely took it out, and anyhow he said, "This is the fourth key."

1384. And, then, where did you understand were the other three keys?—It was settled in my mind by the conversation of the day before that they were all satisfactorily accounted for, and I did not ask to see these two keys on that day. I asked him, "Were they correct?" and he said, "Yes," and that they had not been disturbed.

1385. On Monday there were four keys?—Yes.

1386. Sir Arthur Vicars had one?—Yes.

1387. And Stivey had one?—Yes.

1388. And there were two locked up in the strong room?—Two in the strong room.

1389. On the Tuesday he takes out one key, and says—"This is the fourth key?"—This is the fourth key."

1390. Didn't you ask what had become of the other key that was in the strong room the day before?—No, I did not ask him.

1391. Mr. STAKER.—Then who do you think had given Mr. Mahony's key up to Sir Arthur Vicars?—Well, it never struck me to ask, as I thought that my conversation with Sir Arthur Vicars the day before satisfactorily accounted for the keys. I asked him, "Were those two keys correct on that morning," and he said "Yes."

1392. CHAIRMAN.—Do you mean the two keys in the strong room?—Yes. And I also asked Stivey, and I also asked everyone, about the keys that they carried about with them were they correct, and they said yes.

1393. Sir Arthur Vicars and Stivey both agreed on the Monday that there were two keys locked up in the strong room?—Stivey made the remark, and Sir Arthur Vicars gave a silent agreement, I believe, and I believe gave it more than a silent agreement.

1394. You told me that on Monday there were two keys locked up in the strong room?—Yes.

1395. On the Tuesday there were only one of those keys produced?—That was all, sir. I did not ask him to produce it, and he said, "This is the fourth key."

1396. And why didn't you ask him, "Where is the other key?"—I had asked him the day before was it disturbed, and was it stolen or missing, and he said no, that the keys were correct and undisturbed, and that he had possession of his own key, and that Stivey had possession of his own key, and I regarded that as satisfactorily showing that they could not have been in any other person's possession.

1397. Mr. STAKER.—Did you think it was in Sir Arthur Vicars' possession?—Well, he said it was in the strong room. I then asked him was it absent from the strong room or had he found it there that morning, and he said "Yes."

1398. Did he find both these?—Both there.

1399. He said he found both there?—Yes, certainly so, sir. I wanted to satisfy myself, with the object of asking questions as to the disposal of the keys on the Friday and Saturday, and that is how they were accounted for.

1400. CHAIRMAN.—I really do not understand how you satisfied your own mind about the third key which you had never seen and which he told you was in the strong room and which was never produced to you by Sir Arthur Vicars?—Only Sir Arthur Vicars' verbal assurance.

1401. Was it a verbal assurance?—That extra key, the fourth key, and Mr. Mahony's key had been in the strong room and undisturbed that morning.

1402. Would not you, naturally, then want to see both keys when the strong room was open?—No, sir. I did not ask to see anything, nor would I have asked

DUNN
JULY 23, 1888

so see it only he produced it, because his saying they were all right satisfied me that they were all right.

1425. Sir Arthur Vicars told you that Mr. Mahony had given to him the key of the strong room on the Saturday previous?—No, sir; that occurred on Monday evening, the 8th.

1426. But on Monday evening, the 8th, when you were talking about the strong room keys, did Sir Arthur Vicars say Mr. Mahony gave him up his strong room key?—I have got a note that Mr. Mahony said, "I have given Sir Arthur Vicars my latchkey and my key of the strong room," and that occurred on Monday, the 8th. I made a remark at the time, "It seems an unnecessary precaution, now that a constable is there all night, that you should surrender either one or the other."

1427. But if there were two keys of the strong room and Mr. Mahony had a key that he had given up to Sir Arthur Vicars, would not that make five keys?—Well, two days passed in the meantime, and I could not say but that he got up possession.

1428. Mr. Jones—In the Castle slept up so that the public cannot come through it in the evening at all!—Well, there are constables all night on the gates.

1429. But the public are allowed to walk through all night if they want to!—Well, I would rather wish the Superintendent-in-Charge to answer that question. I have no control and no right to speak for them on that question.

1430. The Solicitor-General.—You heard nothing, as I understand, till Saturday evening about the strong room at all being open?—No.

1431. You did hear from Mrs. Farrell?—I did.

1432. And the next day, Monday, the 8th, you had a conversation with Sir Arthur Vicars on the subject, had you?—I had, and Stivey was present.

1433. Where did that conversation occur?—Outside the strong room door in this office.

1434. Tell the Committee, if you please, in your own way, what that conversation was?—I spoke to Sir Arthur Vicars.

1435. Now, say the things that you are perfectly certain about?—Yes; Sir Arthur Vicars was aware that the police had learned that the door was found open on the Saturday morning, but I do not know how he conveyed to me that he did hear it. I am under the impression that he was visited by the officers investigating the case.

1436. Now tell the conversation?—I said, "It is a wonder that you didn't report the finding of the door of the strong room open on Saturday morning even after the jewels had been missed," "Oh," he said, "I was so thoroughly owing to the preparing for the King's visit."

1437. Chairman.—Thorough means "pressed with business"?—I then asked him how many keys there were in existence for the strong room door.

1438. The Solicitor-General.—Well!—And he named every person who possessed a key on Friday and Saturday. He said there were four keys. "I have one; Mr. Mahony has one; Stivey has one; and one is locked up in the strong room itself." He continued the conversation and said that when Mr. Mahony was going on holidays he gave him his key

"and I deposited it in the strong room and he has not yet taken it over." That struck me and I asked him, "How is it that Mr. Mahony—after he has returned to work to the office for some days—has not resumed possession of his key?" Stivey spoke up and said, "Though Mr. Mahony has returned to the office he only parts in an appearance and seldom has occasion to enter the strong room." That satisfied my mind. I then put the other question, "Were the keys in the strong room now safe or were they found there this morning and did you examine them?" and Sir Arthur said, "Yes; everything in the strong room is correct," and I said, addressing Mr. Stivey, "Has your key or any of those other two keys been missing any time lately," and he said, "No." That satisfied me that the four keys were satisfactorily accounted for on those dates and I did not ask to see them, because Sir Arthur Vicars said they were found correct and that satisfied my mind and disposed of the four keys.

1439. That conversation occurred on Monday, the 8th of July?—On Monday, the 8th of July.

1440. Was there anything more on that Monday about the keys at all?—Well, at present I do not remember, but I would not have failed to see the

keys on the Tuesday, because if I was not satisfied the day before I would have then asked to see about the keys.

1441. The Solicitor-General.—We want merely to get what the actual facts are. Are you sure beyond all doubt that you made the remark on the Monday, "How is it that Mr. Mahony has not got up his key, now that he has returned to work?"—did you make that remark?—I did.

1442. Are you sure of that?—That is my recollection.

1443. Stivey made a reply?—Stivey made the reply that Mr. Mahony was not at present at work.

1444. When you say that is your recollection, you are speaking from memory?—I am. I speak from memory. I took no written note of it at the time.

1445. Mr. STAKER.—As a result of this conversation with Sir Arthur Vicars, when did you believe that the key was on the night of the 8th, that was the Friday night?—As a matter of fact, I did not know in what part of the strong room, but that it was in the strong room.

1446. Where did you believe that Mr. Mahony's key was—what was the impression left on your mind?—That it was in the strong room.

1447. The Solicitor-General.—In other words, that there were two keys in the strong room.

1448. Mr. STAKER.—I think he mentioned to you that he gave back his key to Sir Arthur Vicars on Monday, the 8th!—It was at a later stage that the conversation took place.

1449. When, as to time, did he convey to you the impression that he gave back the key to Sir Arthur Vicars?—Well, that he was only just after giving it.

1450. Chairman.—Was it after this conversation about the strong room door that you saw Mr. Mahony?—I was, at a later stage on the same day.

1451. And Mahony then said he had given back the key?—"I have surrendered my key of the strong room and my latchkey."

1452. The Solicitor-General.—Tell me where you saw Mr. Mahony later on that Monday?—It was in this passage, outside here.

1453. Who was present when you had the conversation with Mr. Mahony?—Sir Arthur Vicars. I do not remember anybody else.

1454. Was Sir Arthur Vicars present?—He was.

1455. And how did the conversation arise between you and Mr. Mahony as to the keys?—Did you ask him?—No, it came spontaneously from Mr. Mahony. There was a remark that I made at the time that fixed it so vividly in my recollection. The remark was that it seemed an unnecessary precaution to divest himself of the responsibility of the possession of the keys, especially when a constable was here on duty all night.

1456. What I want to bring to your mind, Mr. Rivers, is this. If you had been told by Sir Arthur Vicars that Mr. Mahony's key was in the strong room?—Yes.

1457. And had been apparently for some time in the strong room, because that, I understand, is the meaning of it?—Yes.

1458. How could you reconcile that fact with Mr. Mahony's statement that he had just then given up the key to Sir Arthur Vicars?—He did not say "just then," but merely said "surrendered," and whether he might mean that he had not re-assumed possession of it or that he had got it in the meantime and given it up then, I did not ask him. In fact, the remark came spontaneously from him, and the only thing I replied to it was that it seemed an unnecessary precaution, especially when a constable was here on duty at night.

1459. Did he on that occasion use any words at all, and, if so, what were they, to suggest that Mr. Mahony had just then or upon any recent occasion given up the strong room key?—It was a general remark. He did not say just then or any particular time, but "I have surrendered my latchkey," which was immediately before the subject of the conversation, "And my key of the strong room." It was a general remark.

1460. Chairman.—This is a point that I cannot quite understand yet. When the strong room door was opened on Tuesday you expected that there were to be found there two keys of the strong room?—I ascertained it from Sir Arthur Vicars.

Deputy. That was on the Monday!—That was on the Monday.

Jan. 15, 1908. 1439. But on the Tuesday your information led you to believe that there were two keys there locked up in the strong room?—No, sir; that was disposed of on Monday.

1440. But had you any reason to believe that either of these two keys had been removed between Monday and Tuesday?—Well, as a matter of fact, I did not inquire, but I had got in the meantime myself a key of the strong room for Superintendent Lowe, and I did not ask him which of the four keys it was, because I satisfied my mind on the first conversation that the four keys were satisfactorily accounted for.

1441. If you had told me that before that accounts for the whole thing.

1442. The Solicitor-General.—You had got in the meantime possession of a key of the strong room door?—Yes, I had, and possession of a key of the safe also.

1443. Who gave you the key of the strong room?—Sir Arthur Vicars. He handed it to me, and handed me a key of this safe. And I gave Mr. Lowe my own latch key and steel ring.

1444. Mr. Speaker.—Was that before or after you saw the key in oilied paper in the strong room?—I am sure it was before.

1445. The Solicitor-General.—When was it you got

the key of the strong room for Mr. Lowe from Sir Arthur Vicars?—On Monday, the 8th, but at what hour of the day I could not tell.

1446. But you did get the key for him?—I did. I got one of each of the keys.

1447. You got a key of the strong room?—Yes, and the safe, and I handed him my own latch key, which he wanted for his own purposes, which he indicated to me.

1448. CHAIRMAN.—If Sir Arthur Vicars had a key and Sirvey had a key and Lowe had a key, of course you would only find one key in the strong room. That is quite clear now?—I satisfied my mind in the first conversation with Sir Arthur about those keys, and then I dismissed it from my mind, so to speak.

1449. That is quite right. I only found it difficult to understand, because I did not know about Superintendent Lowe having got a key?—I asked the question why Mr. Mahony had not got back his key if one was necessary. If an insured house was burgled, and if the owner were absent, I would be curious to know where he was or what was the cause of his absence, and it struck me that it might be important why Mr. Mahony did not get back his key though he had taken up work, and that is why it was impressed on my memory.

1450. CHAIRMAN.—That clears up the only difficulty I had.

Mr. GEORGE DAMES BURCHELL further examined.

1451. The witness on taking his seat said—I wish to correct a statement I made on Saturday, sir, because, as well as I remember, I said that I was never the last person to leave the office. On Saturday the office was closed to the public at 2 o'clock. Sirvey then went away, and very often Sir Arthur Vicars, and I and Miss Gibson were here long after that, because it was very convenient when no one came in to interrupt us that we should dispose of anything that had been left over during the week. On some occasions, when Sir Arthur Vicars went away, I was the last person to leave the office, but before Sir Arthur went away he always locked the strong room. Some of these premises were left open if I had occasion to use them, and I shut them up before I went away, and then I left the office, but the outer door was only secured by the latch. Something just disturbed my mind for the time being.

1452. CHAIRMAN.—I do not know that it is of any great importance, Mr. Burchell. You were sometimes here on Saturday?—Yes, till about 5 o'clock.

1453. And were the last to leave the office?—Yes, the last to leave the office.

1454. Was this the only thing?—There's only one other thing. You asked did anyone sleep on the premises, and I think it right to state that when the office was first moved into this building Sir Arthur Vicars applied for leave to occupy the top storey of this house, as he was anxious to sleep on the premises.

1455. That was refused?—That was refused.

1456. There was just another thing I wanted to ask you. Mr. Burchell, as you are here. You told us in your examination on Saturday, that Sirvey came down here into this room with the key of this safe, and that Sir Arthur Vicars followed carrying the collar of Lord de Bousl?—Yes.

1457. Of course you did not see that with your eyes?—I only knew from what Sir Arthur Vicars told me.

1458. It was what Sir Arthur Vicars told you?—Yes.

1459. The Solicitor-General.—I asked you about the general supervision, or want of supervision, whatever it was, in the office?—Yes.

1460. When Sir Arthur Vicars was away on vacation or otherwise from the office was the only official on the ground floor Sirvey?—Well, I used to be up and down just as usual, whether he was away or not.

1461. But there was no greater supervision or access to this room in his absence than when he was present?—No.

1462. Now, to your knowledge, had any person except Sir Arthur Vicars a key of the safe?—I think you told us not?—Not as far as I know.

1463. So that assuming three keys were requisite for the purpose of entering the door, opening the strong room door, and opening the safe, the only person who had possession of the three keys, of the door, of the strong room, and of the safe, was Sir Arthur Vicars?—The only person I know.

1464. Now, with regard to the jewels, you saw them on several occasions, I believe, shown in this room, is that not so?—Yes; I have seen them, I suppose, three or four times.

1465. And when exhibited it was only in this room that they were exhibited?—Yes.

1466. And of course it was plain to those to whom they were exhibited that they were deposited in that safe?—Oh, yes; I think the persons to whom they were shown were all here when the safe was opened.

1467. In other words, the location of them was thereby made evident?—Yes.

1468. Are you aware of any authority at all that Sir Arthur Vicars had under the statutes of the Order or otherwise to show the jewels in this office?—No.

1469. CHAIRMAN.—There is one question I should like to ask you, and you will probably tell us—when first had you notice in this office of the intended investigation on the 1st of July?—I am not aware that there was any notice of the investigation.

1470. The Solicitor-General.—May I ask you this, Mr. Burchell—you knew the King was coming?—Yes.

1471. And was coming to pay an informal visit?—Yes.

1472. Were you here during Lord Dudley's Vice-royalty?—Yes.

1473. When the King paid a similar informal visit to Ireland?—Yes.

1474. Are you aware, as a master of fact, that during the King's stay in Ireland here on that former occasion Lord Dudley wore the insignia of the Order of St. Patrick?—I am not aware of it. I do not remember.

1475. Do you know that they were taken at that time to the Royal yacht, and worn by him on the Royal yacht?—No; I was unaware of that.

1476. You do not know that fact at all?—No.

1477. One way or the other?—No.

1478. As to whether they had been worn by the Lord Lieutenant, Lord Dudley, during the Royal visit?—No; I do not remember.

1479. When was it that the visit was to take place?—I believe it was on Wednesday, the 10th of July, that His Majesty was to arrive?—I think so.

1480. That was the first occasion, as I believe, upon which His Majesty came to Ireland during Lord Aberdeen's Vice-royalty?—Yes.

1481. And you cannot tell of your own knowledge whether or not Lord Dudley on the previous occasion had worn the insignia?—I am unable to.

1482. CHAIRMAN.—When did you first know in this office that the King was coming?—Well, there was a newspaper announcement.

1483. What was the date of that now?—Was that the first intimation you got of it?—Yes; because I remember Ulster saying as had got no official communication, and I said he ought to write to inquire if arrangements were to be made for the King's visit and the date.

1484. Do you remember the date of that?—It would be easy to ascertain, because the letter-book would show when he wrote.

1485. MR. STANKE.—He did write for official information?—He did.

1486. MR. JOYCE.—The same day as you discussed it with him?—Yes. That was some time after the announcement appeared in the newspapers, and he said to me that he had got no official intimation that the King was coming, and I said I thought he ought to inquire as to whether any arrangements should be made for the King's visit. But I could not tell you the day that occurred here.

1487. THE SOLICITOR-GENERAL.—It might be desirable to find out.

1488. CHAIRMAN.—I think so.

1489. MR. STANKE.—You said there were six latchkeys of the hall-door in use?—Yes; I think there were six. Sir Arthur Vicars had one, I had one, Stacey had one, Mrs. Farrell had one, Kerr had one, and Mr. Blake had one. I am not sure whether Mr. Mahony had one or not.

1490. CHAIRMAN.—When you aware that O'Keefe, the Board of Works' man, had one?—Yes. I had forgotten that.

1491. That would make seven. Had Miss Gibbons one?—No.

MR. FRANCIS BACON: GOLDSMITH, M.A., called and examined.

1494. THE SOLICITOR-GENERAL.—Mr. Goldsmith, I believe you are Mayor of Canterbury, and you hold the office of Athlone Pursuivant in the Office of Arms, Dublin Castle?—Yes, sir.

1495. When were you appointed to that office?—Early in 1807.

1496. I understand then at the time of your appointment you were resident in England?—Yes; at Canterbury.

1497. Had you, previously to your appointment, had any connection with Ireland?—No.

1498. Of course you are acquainted with Sir Arthur Vicars?—I am.

1499. May I ask how long have you been acquainted with him?—I cannot tell you definitely. I not him a good many years ago; we are both members of the Society of Antiquaries, and became acquainted in that way. I cannot say definitely how many years ago our acquaintance began.

1500. Who was it acquainted you with the fact of the vacancy in the Office of Athlone Pursuivant here?—I think Sir Arthur Vicars, first of all, informed me of it. I should say that he told me, some two or three years previous to that vacancy, that he thought there would be a vacancy in the office, knowing that I was interested in history and antiquarian researches; and he asked me if I would accept of the position if there was a vacancy. I should mention that it was not the Athlone vacancy that was then contemplated; it was another vacancy; and it was through another friend of mine that I got the Athlone position.

1501. At all events, in the event, you were appointed to the Office of Athlone Pursuivant?—Yes; by Lord Aberdeen.

1502. Upon your appointment did you come to Dublin?—Not immediately.

1503. When first did you come to Dublin after your appointment?—On the opening of the Exhibition.

1504. What date was that?—It was in May.

1505. How long did you remain in Ireland then?—I think three days; it may have been four, but I think it was three.

1506. Where did you stay while in Dublin?—With Sir Arthur Vicars.

1492. MR. STANKE.—That would make seven—Sir Arthur Vicars, yourself, Stacey, Farrell, O'Keefe, Kerr, and Mr. Blake. That would make seven?—
DUBLIN.
YES.
JUN. 13, 1893.

1507. CHAIRMAN.—There might have been more than you did not know of—I heard, of course, the Board of Works' man had one, but I did not think of it. Shall I find out the date of that letter?

1508. CHAIRMAN.—Please.

The Committee adjourned for luncheon.

On returning, after luncheon.

The Solicitor-General said the next witness he proposed to examine was Mr. Herdick. He would ask Mr. Beard (the Secretary) to request his attendance.

The Secretary said that Mr. Herdick had already been summoned in the usual form. He had been informed that his presence would be required.

1509. CHAIRMAN.—Please inform him that the Commissioners are waiting for him and wish him to attend now.

THE SECRETARY.—I will do so, sir. (The Secretary left the room, and on returning said,) I have just seen Mr. Herdick, sir, and I told him that the Commissioners wished him to attend, and that you were waiting for him. His reply was that, having regard to the fact that the inquiry was a private one, and that his chief (meaning Sir Arthur Vicars) was not getting fair play, he respectfully declined to attend.

1510. CHAIRMAN.—Is he at the present of the office?

THE SECRETARY.—He is; I have just seen him, and delivered your message; but he declines to attend.

1511. THE SOLICITOR-GENERAL.—Then we are to understand that Mr. Herdick refuses to be examined?

1512. CHAIRMAN.—Yes; he has definitely refused.

1507. As a guest?—Yes; as a guest in his house, at St. James's terrace.

1508. Do you know Mr. Shackleton?—Yes.

1509. Was he also staying at Sir Arthur Vicars' house at the time?—Yes; part of the time.

1510. Did you hear that Mr. Shackleton and Sir Arthur Vicars were co-tenants of the house?—Yes.

1511. Who told you that?—Mr. Shackleton.

1512. In the house, while you were there, was there a butler?—I heard there was a cook, who acted as butler.

1513. Was there also a boy?—There was a boy, rather a young man, and there was a coachman; I do not know their names.

1514. Was there a man-servant named Phillips?—Yes; but that was on another occasion that I came to Dublin. I should state I came to Dublin as the Horse Show week, and was a guest in the house I saw Phillips in the house then.

1515. CHAIRMAN.—What was that?—It was in August.

1516. THE SOLICITOR-GENERAL.—I am speaking of the occasion you came at the opening of the Exhibition?—No; I did not see a coachman in the house then, to the best of my knowledge. The only man-servant there was a young lad.

1517. MR. STANKE.—What was his name?—I do not remember his name.

1518. THE SOLICITOR-GENERAL.—Was he in the house during the Horse Show week?—Yes; he was in the same position as on the other occasion; he was a liveried servant.

1519. Now, you have told us that you only stayed in Dublin three days at the time you came on the opening of the Exhibition?—I think so; it may have been four.

1520. Did you, during that time, come to the office here?—Yes; two or three times a day.

1521. You came here to see the place?—Yes; I had, however, seen the place before. I had been here previously.

1522. Did you see the Crown jewels when you came here?—Yes.

1523. Who showed them to you?—Sir Arthur Vicars.

BENSON.
Jan. 18, 1908.

1524. Did any other people see them on that occasion?—Yes; Lady Donegall and Lady Orford, and another lady, an American, a friend of Lady Donegall's.

1525. How did the occasion come about their seeing the jewels?—Sir Arthur Vicars asked them if they would like to see the State Rooms, and the other things in the Castle; and we went over the State Rooms; and when we came back Sir Arthur showed us the jewels.

1526. In other words, Sir Arthur Vicars volunteered to those ladies to show them the jewels?—I think what he volunteered to show them was the State Apartments. Whether they asked to see the jewels or not I do not know. They may have asked to see the jewels, as I know they appeared to be greatly interested in what they saw. I remember Lady Orford saying she thought it a great pity that the jewels should be shut up in a place like this—I cannot give the exact words, but she said it was a great shame they should be shut up here; and I remember Sir Arthur Vicars saying that before they were here in this part of the Castle they used to be kept in an old box in another place, and that the same case was not taken of them then as now. He said it was since his time the strong room had been built to keep them in, and the convention then took a jocular turn about the absurdity of keeping them in such a place. It was a long conversation.

1527. All this, I understand, was confidentially disclosed by Sir Arthur to those ladies?—Well, I would not say it was confidentially disclosed, for I remember seeing some strange gentleman in the room, who came in to ask some question. I know there was some stranger in the room during part of this time, and I thought to myself whether it was well to be talking about the jewels in the presence of a stranger. I did not say anything, but the thing passed in my mind. It occurred to me that it was an imprudent thing—I would not say perhaps that it was imprudent—but that it was a curious thing to have such a conversation in a stranger's presence. I remember looking at him and wondering in my own mind what sort of person he was.

1528. You thought it was a curious thing, if not an imprudent thing, that the jewels should be displayed in the presence of that man?—I cannot quite say that, but I wondered whether it was wise to show them before a person who might be a stranger, but afterwards, when I found he was not a stranger, the thing passed from my mind.

1529. You thought it was a curious thing that those jewels should be shown to a person whom you thought was a stranger?—Well, there was a low table between him and them, and I think he could hardly see them.

1530. But this person was present on the occasion when Sir Arthur Vicars had this conversation that you have mentioned about the jewels?—Yes; during part of the conversation.

1531. Was he present during a portion of the time during which the jewels were being shown?—He was. I do not remember his name at this moment.

1532. Did you ever afterwards see the jewels?—Yes.

1533. When next did you see them?—I saw them on the occasion I was here at the time of the opening of the Exhibition.

1534. Where?—In the State Rooms.

1535. Were they shown to anybody on that occasion?—Yes, to a lady; I do not remember her name; she is a sister of Lady Fairbairn.

1536. There was a lady present on that occasion?—Yes, there were two.

1537. How did you come to see the jewels on that occasion?—Lady Fairbairn asked Sir Arthur if he would show the jewels to a lady who was in Dublin. I remember the circumstances very well, because Sir Arthur kept me waiting for some considerable time.

1538. I think we should have the name of the other lady?—I do not know her name. I think she was a relative—a sister or a cousin of Lady Fairbairn, who was on a visit with her in Dublin.

1539. At what time was this?—It was during the Exhibition.

1540. In the month of May?—Yes.

1541. That was the second time you saw the jewels?—Yes; that was the second, and the only other occasion on which I saw them.

1542. You returned to England after that visit in May?—Yes, after three or four days.

1543. Did you come back to Ireland at all after that?—Yes; I came back on the occasion of the King's visit in July.

1544. The date of his visit was Wednesday, the 19th July?—I arrived on the Monday preceding his visit.

1545. That was the Monday after the discovery of the robbery?—Yes.

1546. The whole period of your visit to Ireland in May was only three days?—Yes; three or four days.

1547. And you did not return to Ireland during the rest of May or June, nor until Monday, the 8th of July?—No; and I should not have come over so soon as the Monday but that I got a telegram from Sir Arthur Vicars to come at once.

1548. Have you got that telegram?—I am not sure. I possibly may have it among my papers at the hotel. The telegram was "Come at once."

1549. When did you get that telegram?—It was either on the Saturday or Sunday, I am not sure which. Anyhow, it was so urgent that I came over immediately. I knew Sir Arthur was not well, and on receiving the telegram I left Chancery, and came over to Ireland on Sunday night.

1550. When was it you got the telegram?—It was either on Saturday afternoon or Sunday morning.

1551. Have you preserved the telegram?—I am not sure, I think I have it.

1552. CHAIRMAN.—Will you kindly look for it, and produce it to us, if you find it?—Certainly, sir.

1553. The Solicitor-General.—I understand you to say you thought you had it at your hotel?—I said I thought I might have it, but I am not sure. I left Chancery in a hurry, and had not time to look through my letters and papers before I started, but I found one bundle marked "Dublin," and put it in my bag before I came. It may possibly be in the bag, and I will look for it, and if I can find it I will produce it to you.

1554. Now, on receiving that telegram from Sir Arthur Vicars you came over to Dublin at once?—I did.

1555. And you arrived on Monday morning, the 8th July?—Yes. I had intended to come over on the Monday, but I came on the Sunday in consequence of the urgent telegram I received.

1556. On arriving in Dublin where did you go?—To Sir Arthur Vicars' house, St. James's terrace.

1557. Did you take up your residence with him then?—Yes, as a visitor.

1558. How long did you stay?—I think I left on Wednesday night. Nobody was asked to be present officially, except Sir Arthur Vicars; and I was not wanted.

1559. Your recollection is that you were in Dublin, Monday, Tuesday, and till Wednesday night?—Yes. I know I went by another route, a route I had not come by before.

1560. At all events, you arrived in Dublin on Monday?—Yes.

1561. Was it in the morning or in the afternoon?—I think I arrived early on Monday morning, about seven o'clock.

1562. And on your arrival you saw Sir Arthur Vicars?—Yes. I went to his house, was told he was at home, and went up to his room. He said, "Have you heard the awful news?" I said no. Then he said the jewels had been stolen, and told me about it.

1563. Can you charge your memory to repeat what he said?—I cannot repeat his words; but he told me he had fled to the safe, that the reason of his going to it was because a Knight had recently died; and he told me that when he got to the safe the door was undone, and the jewels were gone.

1564. What did you say?—I expressed my surprise. I cannot give you the details of the conversation. It ended in my going to my own room, and having a bath. I had only just arrived in Dublin.

1565. Had you breakfasted?—No.

1566. At what hour did you arrive?—I arrived at the house, I suppose, at about seven in the morning, and had a very rough passage. After that, we came down here to the Castle.

1567. At what time did you come here?—I cannot tell you exactly, I think we came fairly early, perhaps at about eleven o'clock.

1568. You arrived at his house at seven, so that you were in his company four hours previous to your arrival here?—Well, no; because after I had seen

him in his room, I was feeling very tired, and had a bath and rested and had some breakfast then, and after that I wrote one or two letters in my room.

1592. Did you ask him what had been done about the jewels?—I did.

1593. What did he tell you had been done?—Well, you are referring, I suppose, to the conversation that took place in his room upon my arrival, and I don't want to state anything that was not said during that conversation. Of course, I asked him a good deal about it, and he talked a great deal, but I find it difficult to remember exactly what he said.

1594. Can you repeat what he told you as to how he believed that the jewels had been stolen?—No, I cannot.

1595. Did he tell you, or did you know, that he, and he alone, had the key of the safe?—I cannot say whether I asked him the question, or whether he told me so, in that conversation; but I know I learned that afterwards.

1596. Can you say what explanation he gave you as to how the safe had been opened, he being the only person who had the key?—No; he said he could not understand it; it was a mystery to him, he said.

1597. Did he tell you on that occasion that the door of the strong room had also been found open?—No.

1598. He did not tell you that?—No; I ascertained that afterwards. It was from one of the attendants here that I afterwards heard that.

1599. Did you speak about that to Sir Arthur Vines afterwards?—I did.

1600. What did you say to him?—I said I had heard that the door of the strong room had been found open, and he said it was; and I cannot recollect whether it was during the same conversation, or subsequently, he said he was so much bewildered, or disengaged, by what had occurred that he had forgotten to mention it previously.

1601. State again, as accurately as you can, what you said to him, and what he said to you, about the strong room door?—I still I had been asking some questions in the office, and that I had been informed that the strong room door had been found to have been opened on the Saturday night. He said that was so, and that he had quite forgotten to mention it.

1602. Did you ask him how he thought that that door had been opened?—I did; and he said he could not understand it at all.

1603. Mr. JONES.—You said that the door was found to have been opened on Saturday night—are you correct in that?—was not it on Friday?—Yes; that was a mistake of mine, I should have said Friday.

1604. The Solicitor-General.—The strong room door, which had been locked the previous night, was found open the following morning?—Yes.

1605. Did you ask him how that could have occurred?—Yes. He said he could not understand it at all. I think he told me there were two or three keys. I know he said there were two; and he may have said three. He said Stivey had one, and I think he mentioned the name of another official who had one. I knew he said there were more than his own key.

1606. Your recollection is that he said there were three keys?—“Two or three.” I think he said Mr. Mahoney had one. He said some other official had a key, and that the door was sometimes left open. I cannot be positive as to what he said about that; I am only giving my recollection.

1607. Either then or at any other time did he give you any explanation of how he thought the door could have been opened?—His said it must have been either with his own key or with a fabricated key.

1608. Either with his own key or with a fabricated key?—Yes.

1609. Either one or the other?—Yes; that is what I understood.

1610. Did he ever suggest to you any explanation of how the safe had been opened?—No; except that some one had got a duplicate key, or a false key.

1611. Either a duplicate key or a fabricated key?—Yes.

1612. Did he explain to you how he thought a key could have been fabricated?—No.

1613. Did you ask him how he thought a key could have been fabricated?—I asked him how he thought the key could have been copied. He said he did not know. I said, “Do you think that anyone could have

got the key out of your possession, and had it copied?” He said he did not understand how it could be done. I said I thought it was a highly improbable thing.

1614. Did he mention to you that there was a second key of the safe?—Yes; he told me he had a second key, and that he kept it in a place where no one could find it.

1615. Did he tell you where that place was?—Yes. He said it was in a drawer in his house at St. James's terrace. He also told me that he kept it in the centre of the drawer; that that was the safest place because people when searching a drawer looked in the corners of the drawer and not at the centre; and that the centre was the safest place in which to put it. I asked him was it possible that anyone could have found the key in the drawer, and got a key fabricated from it. He said it was not possible. I asked him was it possible that the safe could have been left open. He said it was not possible; that he always, before leaving the office, went to the safe, and made sure that it was locked.

1616. Have you any idea how the safe could have been opened?—I think it is possible that one of the two keys got into someone's possession long enough to have a copy made.

1617. That is only a theory?—Of course, it is only a theory; but it is a possibility.

1618. Then I understand it is a problem you cannot throw any light upon it?—No.

1619. Has it occurred to you as a possible explanation that when the safe was last opened it was left by carelessness unlocked?—Yes. It is possible, but I think it is unlikely.

1620. You think it is possible, though unlikely, that the safe was left unlocked, and that some thief coming along found it open, and took the opportunity of stealing the jewels?—I hardly think so.

1621. You do not assent to that?—I assent to it as a possibility, but not as a probability.

1622. Do you not think that the opening of the strong room door on Friday night had some relation to the robbery of the jewels?—I cannot help thinking that it had; but I cannot be certain. I have thought over the matter a great many times, but I have not come to any conclusion. I still keep an open mind about it.

1623. CHAIRMAN.—Is it necessary, Mr. Solicitor-General, to inquire into this gentleman's opinion about it?

The Solicitor-General.—Perhaps not, sir.

1624. CHAIRMAN.—It is all a matter of speculation.

The Solicitor-General.—As I understand, you cannot give us any explanation of it?—I cannot.

1625. And Sir Arthur Vines never suggested to you any probable explanation?—No.

1626. CHAIRMAN.—It has been stated to-day that his first idea was that it was the work of some of the swell chaps who came over to Dublin on the occasion of the King's visit. Did he suggest that to you?—Yes. I think we discussed that and every other possibility. After the King's visit I asked him to come and stay with me for a while at Clandeboye, for he was very much run down in health. He came, and while he was with me on that visit we discussed every possible explanation we could think of.

1627. The Solicitor-General.—When did he pay that visit to you?—I suppose it was about August. Whether it was in August or not I do not quite remember. He stayed with me on that visit, and I have not seen him since.

1628. CHAIRMAN.—We are in this position, that we do not know what evidence you are prepared to give us. Have you any information you can give us on the subject of this Inquiry?—Well, sir, it is very difficult for me to say. It is not a right thing that I should put any hypothesis before you that I may have formed. It would not, I think, be a proper thing for me to do it.

1629. I do not mean any hypothesis; but has any fact come to your knowledge, as to which you have not been asked, bearing on the subject of our Inquiry?

1630. The Solicitor-General.—I am in the same position, sir; I have not been furnished with any statement as to the evidence the witness can give. I do not ask him to give us any hypothesis, but if he is aware of any facts, which, in his opinion, would

Deutsche
Jen. 18, 1908.

DEBATES
JUN 12 1908

throw a light upon the subject of the Inquiry, I would not like to state them. (The Witness).—Well, sir, I am in this difficulty, that I do not know how much to say, or how little, or how far I would be justified in stating things that might only tend to raise suspicion.

1629. Am I not asking you to state your suspicions?—No; in fact, I do not suspect anybody as being guilty of taking the jewels. Whether, in my mind, I suspect that certain persons may know something about it, is another matter.

1630. CHAIRMAN.—If any matter has come to your knowledge, which you think would give us any assistance on the subject of our Inquiry, I will take it on myself, if you wish, to direct the shorthand writer not to take a note of it. Do you, Mr. Solicitor-General, see any objection to our doing that?

1631. The Solicitor-General.—I am entirely in the hands of the Commission, sir.

Mr. F. J. O'Hanrahan called and examined.

1632. The Solicitor-General.—You are the Dublin representative of the firm of Milner's Safe Company, Limited?—I am.

1633. Your firm carries on business in Dublin, at 22, Dawson-street?—Yes.

1634. Were you asked to attend here in July last?—Yes, sir; on Monday, the 6th July.

1635. At what time were you asked to come here?—Some time in the afternoon, to examine the lock of the strong room door.

1636. Did you attend accordingly?—I did.

1637. Did you make an examination of the lock of the door?—Yes, I made a thorough examination of it. I took the lock to pieces, in the presence of the witness.

1638. I suppose you first took the lock off the door?—Yes; and then took the lock to pieces, and examined it; just the same as a watchmaker would examine a watch.

1639. How many levers were in the lock?—Seven levers.

1640. Did you take it to pieces and examine it with your own hands?—No; my assistant did some little mechanical work, and I did the expert work of the examination. Mr. Robinson, of the Board of Works, was also present.

1641. How long did the examination last?—I should say three hours and a half. We took the rim cylinder off the door, and then removed the lock, which was attached to the door by eight screws. I then examined the lock, and took it to pieces. There were seven levers in the lock. I examined each piece of the lock minutely and exhaustively, and especially the appearance of the levers. If any attempt had been made to open the lock with a coincidence or falsehood key the examination of the levers would have shown it. I will explain the process of the examination if you wish.

1642. Of course you know what "picking a lock" means?—I do.

1643. As the result of your examination, can you tell us, as an expert, whether that lock had been picked?—No, sir. My examination showed, not only that it had not been picked, but also that no attempt had ever been made to pick it. If anyone had attempted to pick it, the attempt would have been visible. It was a high-class lock, and if any attempt

1644. CHAIRMAN (to the Witness).—Is the difficulty you feel that you draw a distinction between what you would state at a public inquiry, and what you might feel at liberty to say to us in private?—No, sir; the difficulty I feel is this: that if this was a public inquiry, and I was giving evidence on my oath, I would of course be bound to answer questions which, if put to me at the present investigation, I do not feel myself bound to answer, because I do not know whether I would be justified in doing so. (The witness then made a statement.)

1645. CHAIRMAN.—The statement you have just made does not refer to matters that have any bearing upon our Inquiry, and I must direct the Reporter to strike it out of his notes, as not relevant.

1646. WITNESS.—Before I retire, sir, I wish to state with reference to Sir Arthur Vicary, that from my personal knowledge, in my opinion he was always finely careful of the office.

had been made to pick it, there would have been scratches on the levers, from the pressure on the levers in the process of picking, but the levers were perfectly clean and bright, without a vestige of a scratch.

1647. So that, as the result of your examination, you can say with confidence that the lock had not been picked?—Yes, sir; it had not been picked.

1648. CHAIRMAN.—Suppose a fabricated key had been made, an exact imitation of the original key, could the lock have been opened with it?—Yes, sir. Of course an exact reproduction of the original key would open it.

1649. Without showing any sign?—Yes; if it was an exact reproduction of the original key.

1650. Suppose a wax impression had been taken from the original key, and that a key had been made from the wax impression, would such a key as that show any signs of it had been used to open the lock?—It would, sir. The difficulty would be to make an exact reproduction of the original key. With a lock of this kind, the key would require to be as carefully and exactly finished as the original key, which, in the process of wax reproduction, would be impossible. If such a key was used, though it might open the lock, there would still be some signs of pressure visible upon the levers.

1651. The Solicitor-General.—Then your opinion is that it is practically impossible that the lock could have been opened by means of a key produced from a wax impression?—Yes, sir.

1652. CHAIRMAN.—Does it not follow from that that it must have been opened with one of its own keys?—Yes, sir; or with a reproduction made from it by a workman.

1653. And not by one made from a wax impression?—No.

1654. The Solicitor-General.—So that the man who opened the lock and took the jewels must have had one of the original keys, or a key as highly finished as an original?—Yes.

1655. And that, you say, could only have been made by a skilled workman, who had one of the original keys before him?—Yes, or the lock itself, showing the lever mechanism.

1656. Did you examine the safe lock?—No, sir; the man who examined the safe lock is here.

Mr. CONNOLLY GALLAGHER called and examined.

1657. Solicitor-General.—What are you?—I am connected with my brother by the "Hawthorne" Safe Company.

1658. And are you an expert in the construction of safe locks?—Yes, sir; that is my business.

1659. Did you come to this office on Tuesday, the 9th of July last year?—Yes, sir; I was sent for.

1660. Did you examine the lock upon the safe in this office?—I did, sir; I made a thorough examination of it.

1661. Is it a Hawthorne safe?—It is, sir.

1662. Did you remove the lock from the door?—I did, sir; I took all the levers out, and examined

every one of them carefully, to see was there any mark of the lock having been picked.

1663. How long did you take in making the examination?—From two hours and a half to three hours.

1664. Are you skilled in this business?—I am, sir.

1665. How long have you been acquainted with the Hawthorne safe?—About twelve years.

1666. Are you familiar with the special mechanism of these locks?—I am, sir.

1667. Did you examine this lock, in order to see whether there was any mark or trace of its having been picked?—I did, sir, carefully.

1668. Was there any trace—No, sir; it was an impossibility. It was neither picked nor attempted to be picked.

1669. Why do you say that it was an impossibility?—It is an impossibility to pick a lock like it at all.

1670. Is it your conclusion that the lock must have been opened by its own key—it must have been opened either by its own key, or with one similar to it, and it must have been made very like it, or there would have been a mark made on the lever.

1671. What must have been "very like it"?—The key it was opened with must have been very nicely made, or it would have made a mark on the levers in some way, and there was no mark on any of the levers.

1672. Then, in your opinion, it must either have been opened with its own key, or with a fabricated key made from the original key?—Yes, sir.

1673. Of course you are aware that a key may be fabricated from a wax impression?—Yes, sir.

1674. Do you think that a key so fabricated could do it?—Well, sir, it might open the lock well enough, but it would leave some impression upon the levers.

If you take an impression of a key in wax, there will always be some parts either smaller or larger, and you never can get a key as exactly made from it that it will not leave some mark on the levers when opening the lock with it.

1675. You could not open the lock without scratching or scraping some of the levers?—No, sir, you could not.

1676. And you found no scratch or scraping at all on these levers?—No, sir. There was nothing of the kind.

1677. Then your opinion is that the lock must have been opened either with its own key, or with a fabricated key, made by a workman from its own key?—Yes, sir.

1678. And highly finished, like the original key?—Yes, sir, and he would have to be a good workman to do it.

1679. Mr. Justice.—How long would it take a skilful workman to make such a key, supposing he had the original before him? Could he do it in a day?—If I started to do it the day I got it I might do it, but it would take me some time.

Mr. W. V. MARKS, M.V.O., Assistant Commissioner, Dublin Metropolitan Police, called and examined.

1680. The Solicitor-General.—You are Assistant Commissioner of the Dublin Metropolitan Police?—I am.

1681. When did you hear of the robbery of the jewels?—On Saturday, the 8th July, at about three o'clock, when I came back from lunch to my office. I was told Sir Arthur Vivers wanted to see me immediately, and I came up to the Office of Arms, into this room, and saw Sir Arthur Vivers.

1682. Were there any other persons in the room?—Yes, Mr. Bartuschell, Mr. Horlock, and Mr. Mahony were here, part of the time, also Superintendent Lowe. When I went into the room, Sir Arthur Vivers was standing beside the safe, and he said, "The Crown jewels are gone." I asked him how it had occurred, and he told me that Lord De Rose's collar had been returned that morning, and that he had sent Sturkey down with it to put it in the safe, of which he gave him the key, that he himself had followed down almost immediately and that he found Sturkey at the door of the safe, and that Sturkey told him he could not open it, that he used some expression of surprise, and then he said that he tried the safe, and found it open. That he examined the boxes, and he showed me how he had examined them, and that when he saw the key in the top box, which contained the jewels, he immediately felt that something was wrong, as he was in the habit of leaving the key in the second box; that on opening the top box he found the jewels were gone, that he then opened the boxes underneath, which contained the collars, and found the collars were gone, and the boxes empty. He told me that his mother's jewels had also been there, that they had recently come into his possession, and that they were gone. He said, "This is the fault of the Board of Works, I asked them for a safe in the strong room, and they did not give it; if they had given it this would not have happened."

1683. What did you say in reply to that?—I was much struck by that statement, and said to him, "Did you actually ask for a safe in the strong room?" He said, "Yes; I have the correspondence upstairs, and will show it to you." I said, "Don't mind that at present." Superintendent Lowe then asked whether the door of the strong room had been disturbed or bore the appearance of having been forced in any way. He said no. We then looked at the door of the safe; and I gave it an superficial examination, and said it did not appear to have been forced; he agreed with me—in fact he told me there were no marks on it. I, of course, could not see any, but I intended to get it examined by a specialist. I then asked him, "When did you see the jewels last?" "When last did you show them to anybody?" He said, "I am not sure whether I showed them to Dr. Finney; but I believe I showed them to Mr. Hodgson." I asked him when; he said he was not quite sure, but he got that visitors' book which is already in

evidence, and I myself saw the entries in the book—Dr. Finney, 16th June, and Mr. Hodgson, 11th June.

1684. What further arranged?—I said to Sir Arthur Vivers, "You should write at once to both these gentlemen, asking them whether they did see them, if you are unable to state it definitely." "Oh," said he, "that would not everyone know about it." I said, "That does not necessarily follow, but it must be done, whether or not." He seemed very much excited at the time, and still made some difficulty about it. I said, "This must be done at once," and Mr. Bartuschell said, "Why don't you do what Mr. Harrel tells you?" He said, "What can I say," and he sat down to write the telegrams, but gave it up, and I then dictated the telegrams to him. One of them was to Dr. Finney:—"Am anxious to know latest date on which safe with jewels was opened. Do you recollect whether I showed them to you when here, 16th June? Wire reply. Letter following." That was the telegram sent to Dr. Finney, and a similar one was sent to Mr. Hodgson. Wires were received in reply from both. Dr. Finney stated that he had not seen them. Mr. Hodgson stated that he had. Sir Arthur Vivers then said that he would explain how the thing occurred; and he opened the safe, and described the method of opening to me. I do not know whether it is necessary to give the description, it has been described already. I then told the Superintendent that I had to go down to my office, and told him to get from Sir Arthur Vivers an accurate list of the things that had been stolen. He did so, and here—(producing large handbill)—is a notice which we had printed, offering a reward of £1,000. This notice gives a full description of the articles.

1685. On that Saturday, either in the office or elsewhere did Sir Arthur Vivers inform you at all of the strong room door having been found open in the morning?—No.

1686. Did he say a word at all on the subject?—No, I did not know it till Monday morning.

1687. Was he asked about it?—Superintendent Lowe said him had the strong room door being touched, and he said no; and he said that had the Board of Works done what he wished, and put a safe in the strong room, this would not have happened.

1688. Did you see Sir Arthur Vivers again on the Saturday?—I did. I went to the Arms Office again afterwards, and saw him. I went into the strong room and looked at it. At that time I had no idea that anything had occurred in connection with the door of the strong room, but he spoke about his key, and he showed me by demonstration how he kept the key of the strong room on his chain, and he also showed me the key of the safe; that it was always on his bunch, and that the keys never left his possession. I said, "Now, is that really the case?" It is not a thing that many people could say." He said, "Yes, it is; they have never left my possession; I have always been most careful." I then put a question to him. I said, "For instance, on the occasion

DEBATE.
Jan. 23, 1908.

of a function at the Castle, when you are here in uniform, how do you carry that bunch of keys in your uniform?" He replied, "Oh, well, on a night of that sort of course I put the keys in my overcoat pocket." I said, "And what do you do with the overcoat?" He said, "I leave it in Herschell's possession"—mentioning Lord Herschell, the Private Secretary of the Lord Lieutenant. In subsequent statement, not made to me, he said that he had a special pocket made in his coat, and that the key of the safe was, on those nights, removed from his ring, and kept in the pocket.

1669. COUNCILMAN.—Did he in any of those conversations express suspicion with regard to any particular person—I do not want you to name the person—but did he mention that he suspected anyone?—Yes; he mentioned one person; but I may say, without mentioning the name, that after full inquiry we found there was no foundation for his suspicion.

1670. You satisfied yourself as to that?—Yes, absolutely.

1671. After investigation?—Yes; and I may add that Sir Arthur Vicars himself abandoned the suspicion altogether afterwards.

1672. The Solicitor-General.—There is another question I wish to ask you. On that Saturday when you were here did you observe whether a ribbon or badge had been left behind in the safe?—Yes.

1673. What was it?—Well, beyond observing that it was a small piece of blue ribbon, I did not examine it more closely than.

1674. Was any observation made by anyone as to whether it was part of the regalia?—Sir Arthur Vicars said, when we were looking at the things in the safe, that it was the ribbon of the badge.

1675. Now, Mr. Harrel, did you receive a written statement, signed by Sir Arthur Vicars, on the 12th of July?—Yes. I should state that it was not made to me, but it was signed by him.

1676. I think it is only right that the Commissioners should see that statement?—Certainly. (The witness produces a document.)

1677. COUNCILMAN.—Is that the original?—No, sir; it is a typed copy of it; but I can get you the original.

1678. Can you let us have the original to-morrow?—Yes, certainly.

1679. Are you sure that the document you have now produced is a correct copy of it?—It is.

1680. Then you may read it now, and you will undertake to produce and hand in the original statement to-morrow?—Very well, sir.

(The Witness thereupon read the statement, which appears in Appendix A.)

1681. The Solicitor-General.—Now, that was the statement Sir Arthur Vicars made on the 12th of July?—Yes.

1682. Did he afterwards make a supplemental statement?—Yes; on the 14th July.

1683. Kindly read that supplemental statement. (Whereupon the witness read the statement, which is set out in the same Appendix.)

1684. The Solicitor-General.—Now, Mr. Harrel, I want to ask you a few questions arising on those statements. First of all, there is mention made that Phillips, the coachman, had access to his keys?—Yes.

1685. About eleven months ago was there a man named Phillips, who was his coachman?—Yes.

1686. He says that Phillips, the coachman, had access to his keys, but last night it might be supposed that that implied that Phillips was the person who took them?—(the Witness)—Supposed by whom?

1687. By Sir Arthur Vicars at that time?—Oh, no.

1688. Did he ever suggest that to you?—Well, now you are going into matters of suspicion, as to which it has been ruled by the Commission that names are not to be mentioned.

1689. You, but I think it is only due to Phillips that it should be mentioned now—I ask you, Mr. Harrel, this question. You have stated that Sir Arthur Vicars, in one of his conversations with you, mentioned that he had some suspicions with regard to a particular person—was Phillips the name of that person?—Yes.

1690. You stated that, after full inquiry, you found that there was no foundation for that suspicion?—Yes.

1691. And does Sir Arthur Vicars himself afterwards abandoned the idea?—Yes, entirely; there was really no foundation for it whatever.

1692. Where is Phillips now?—He is in America.

1693. How did he go there?—Sir Arthur Vicars sent him there.

1694. Paid him passage there?—Yes, he told me so. I should mention that Phillips had been dismissed by Sir Arthur Vicars shortly before this occurrence took place. Then when investigation showed that there was no foundation for any suspicion against him, Sir Arthur Vicars abandoned the idea, and sent him to America.

1695. (The Solicitor-General reads the passage in Sir Arthur Vicars' statement as to his having shown the jewels to some lady friends). Beyond the statement that he had shown them to these ladies, between the months of March and June, did he ever state that he had shown them to any other persons?—No; not till quite recently.

1696. Has he since discovered, or did he inform you, that he also showed them to other persons—to Mr. Keane Perry, and to Mrs. Brown-Petrie?—Yes. That statement was made to me on the 22nd of November.

1697. Who made that statement to you?—Sir Arthur Vicars.

1698. When did he tell you that?—On the 12th November.

1699. Also to Miss Newman, a friend of Mr. Harrel's?—That has been stated by her; except from her statement I know nothing about it.

1700. Was that between March and June?—Yes; so I was informed.

1701. Did you ever speak to Sir Arthur Vicars about his having shown them to Miss Newman?—No.

1702. Did any of the police, as far as you know?—Yes, he admitted having done so.

1703. You can rely upon that, from a statement made by Sir Arthur Vicars?—Yes.

1704. You only rely upon it as a statement made by her?—Yes. I wish to say, as regards Miss Newman, of course the police were not pursuing the inquiry on the same lines that this Commission are doing. Once we were satisfied that, in a criminal point of view, there was no reason for pursuing the investigation with regard to any person, it was dropped.

1705. May I ask do you know anything of Miss Newman?—Yes; I know everything about her. What I want to make clear is, I would like to draw some line between what exactly relates to the circumstances under which the jewels were lost, and the police inquiry, which was made subsequently, from a criminal point of view.

1706. Mr. Harrel.—I wish to ask you, Mr. Solicitor-General, whether you suggest that Sir Arthur Vicars was wrong in showing the jewels to those persons?

1707. The Solicitor-General.—Certainly, sir. He had no authority at all to show them to any person. 1708. Mr. Harrel.—I wish to mention one matter that I have omitted to state. I asked Sir Arthur Vicars whether it would be possible to identify the jewels if they were found. He said yes, it would. That he had inquiries from a man at West's whether the jewels could be identified, and had been told that beyond question they could. That they were precious stones, not at present in the market, and could be identified by expert.

1709. The Solicitor-General.—I wish to ask you, Mr. Harrel, did you speak to Sir Arthur Vicars on that Saturday about the second key of the safe?—I did. He told me he had a second key for the safe, and that that key was in a drawer in a writing-table in his own house. I said to him, "Would you go and see whether that key is now there?" He said he had so much to do that he could not go then, but would go at the earliest moment possible—about 7 o'clock. I asked him to let me know at once when he went home whether the key was there, and he said he would. And he telephoned to me that evening that the key was there, just as he had left it, and that he could see no trace of it having been tampered with.

1710. Did he tell you why he had made inquiry whether the jewels could be identified?—I do not recollect that he gave any reason.

1711. CHAIRMAN.—Of course, he must have had a good deal of conversation with jewellers and other persons about the matter. I suppose you thought it quite natural that he should have made the inquiry?—Yes; and I was very glad to hear it at the time.

1712. The Solicitor-General.—Did you examine the place to see whether it showed any traces of forcible entry?—Yes, and there were none. We made a most minute examination of the same office from top to bottom. We left nothing undone in the way of examination, even to the taking down of a wall behind which there was a hollow space.

1713. Would you explain to the Commission what system is adopted for guarding the Castle and the office and the approaches to them?—Yes. First, at the main gate, there is always a military guard both day and night, and there is always a sentry on duty, who walks up and down just outside the Office of Arms.

1714. This is the main gate. Then there is also the Lower Castle Yard gate?—Yes. There are three gates—the Main gate, the Lower Castle Yard gate, and the Ship-street gate. There is the military guard at the main gate, but at each of the other gates, and at the main gate only, there is a policeman on duty throughout the twenty-four hours every day. The military are responsible for the closing of the gates for wheeled traffic, which they do at sundown every evening. When that is done the gates are locked, and a constable has charge of the whilst gates. They are kept at night at all the gates; and, as regards the Ship-street gate it is closed entirely, and there is no traffic allowed at all. During the day people may go through the Lower Castle Yard and out through the Ship-street gate, but at sundown the Ship-street gate is closed, and no one can pass. As I have stated, there is a policeman on duty at the gates by day and night; and I should mention that these men's duties are not defined as are the duties of a sentry. The police have a responsibility of their own; and they are most particular not to allow anyone to pass after dark without knowing what their business is; and they never leave their post, because there is always another constable in the Upper and Lower Yards, and if the man at the gate has occasion for any reason to leave his post for a while, he must arrange that other constable to take his place at the gate until he comes back; so that, as far as the police regulations can ensure it, no person can enter or leave the precincts of the Castle and the office without being observed.

There is no reason to think that anyone could enter the gates without being observed, and the police knowing all about them.

1715. Do you know if there is a telephone in this office—an Exchange telephone?—There is.

1716. Is it in communication with the Viceregal Lodge?—I suppose so.

1717. Is there also a telephone in the Chief Secretary's Office in communication with the Viceregal Lodge?—Yes.

1718. I asked you that question because of the following passage in Sir Arthur Vicars' statement. He says: "as we (that is Sir Arthur Vicars and Mr. Horlock) were going out of the door I met a Press Reporter, who gave me some information which necessitated my telephoning to the Viceregal Lodge. I parted from Mr. Horlock and the Pressman (having previously closed the office door, and assured myself that it was locked), and went to the telephone in the Chief Secretary's Office, and subsequently went home." 1719. Did Sir Arthur Vicars ever suggest to you what time he believed the jewels were abstracted?—No.

1720. Assuming the outer door was shut on that night of July the 5th, it of course follows that the persons who removed the jewels, if they were removed that night, must have used three keys, one for the outer door, one for the strong room door, and one for the safe?—Yes; certainly.

1721. Mr. JOHN.—Was inquiry made from the police on guard as to the people who came in or went out of the Castle Yard on that night?—Yes; they were all strictly questioned; and I have statements here from the soldiers who were on duty there; and none of them saw anything in the least degree questionable.

1722. Could they state at what hours Sir Arthur Vicars came in or went out; would they take any note of that?—Of course they might, but I think that would be taxing their recollection too highly. Sir Arthur Vicars nearly always came in by the Ship-street gate, and went out by the Palace-street gate or the Main gate. I do not think a constable would take a note of the time he left.

1723. Did any of the police tell you that they had seen Sir Arthur leave the Castle that night?—No.

1724. The last account we have of his movements that evening is his own statement that he left Mr. Horlock outside the door of his own office, and went to the Chief Secretary's office?—Yes.

DRAFT
Jan. 15. 1908

The inquiry was adjourned till the following morning

FOURTH DAY.

TUESDAY, JANUARY 14TH, 1908.

The Commission sat at 10.30 a.m.

Mr. F. BENNETT GOLDNEY further examined.

DODDS.
Jan. 14, 1908.

Mr. F. Bennett Goldney, who had been examined the previous day, presented himself again.

1725. CHAIRMAN.—Mr. Solicitor-General, I understand that Mr. Goldney wishes to supplement his evidence given yesterday by some explanation?—(Witness)—Yes, sir; if I may.

1726. Then Mr. Goldney we shall be very glad to hear you!—First of all, I should like to say that I have not got the telegram with me that I spoke of, Ulster's telegram to me to come at once. I have several telegrams with me that say "Come over at once" from Ulster, but they are not of that date. They are subsequent, so that I have not got the one that I spoke of, but I believe that I have it at home, and I believe I have also a letter that he wrote to me a day or two previous to the telegram telling me to come, and if you like I will let you have that. It is a letter a day or two before the telegram which said to me "Come at once."

1727. The Solicitor-General.—Then the letter would be despatched according to that before the robbery was discovered?—Yes.

1728. CHAIRMAN.—Oh, yes, two or three days?—So that if you like I will see if I have it and will send you the letter and the telegram.

1729. If you send us that letter and telegram it will be no harm, Mr. Goldney, and we shall be glad to see it—I have several other letters, and if you want them I will send you them.

Witness handed in the following telegrams:—

"October 22.

"College-green, Dublin.

"To Goldney, Hursley Park, Winchester.

"Go and see Harry on way through London, and come over at once.

"Ulster."

"October 23.

"West Strand.

"Private.

"Bennett-Goldney, c/o Sir George Cooper, Hursley, Winchester.

"Want see you urgently, come up quickly, please wire me back.

"Visars."

"October 24.

"West Strand.

"Bennett-Goldney, Hursley Park, Hursley, Winchester.

"Want see you urgently, come up please for couple hours, to show you important document and consult with G.L. Very important and urgent."

"Visars."

"January 13.

"Chapelised.

"To Goldney, Shelbourne Hotel. Not without consent of Solicitors, Messrs. Mere-

"disk."

1730. The Solicitor-General.—These are October?—Yes. It just caught my eye. I thought that was the telegram. The first one is October 22, 1907. (Reads telegram).

1731. CHAIRMAN.—Was that telegram from Dublin or London?

1732. The Solicitor-General.—The first one, October 22, was handed in at College-green, Dublin; the next one, I observe, was handed in at West Strand, that is October 23; and then the third one, which was also handed in at West Strand, is dated October 24. (Reads telegram).

1733. Who was G.L?—(The Witness)—Sir George Lewis.

* This telegram was unsigned.

1734. CHAIRMAN.—Had that important document any bearing upon this case, or was it private?—Indirectly it had. I do not want to go into anything that could prejudice the case in any way, but Sir Arthur Vicars had entered into some money obligations, and I had urged him to get out of his responsibility, because, from what he had told me, I did not think he was well enough off to be in the position I have told you that he was in, and, therefore, I myself—I do not know how to put it exactly—anyhow I had signed a bill, not knowing quite what I had done. I put the matter into Sir George Lewis's hands, not only my own master, but Sir Arthur Vicars', and I asked Master Lewis to see the master through and put it straight.

1735. That was not the bill to which you referred yesterday?—Yesterday?

1736. In which Mr. Shackleton was?—Yes. The bill which I had signed. But the other, which was put at the same time in Sir George Lewis's hands, was one Sir Arthur Vicars had signed for Mr. Shackleton for £500, I think it was, but the thing was this. I do not want to prejudice the case one way or the other, but since I knew, which was not for some time afterwards, that Sir Arthur Vicars had these obligations, and that I knew he was not well off from what he had told me, because he had told me of his joint expenses of his house, which he found, well really more expensive than he thought, I had urged him to go into a smaller house, and I said, "At any rate you ought not to have any obligations which you cannot pay. It does not seem to me to be a right thing at all, and there has been considerable misunderstanding, and I am going to have my master put in Lewis's hands. May I put you right at the same time?" He then told me, as I have told you before, that he had money difficulties. I said then, "If you are in money difficulties I hope you will come to me, because I will certainly try and help you." That is what that refers to, and Sir George Lewis had both affairs put straight. And I signed bills, being told Sir Arthur Vicars wished me to do so, and that it was to a family solicitor. Afterwards I found that it was to a notorious money-lender, so that it was a master that really required to be put straight at once.

1737. The Solicitor-General.—What was the date of the bill you signed?—It must have been, I suppose, in the spring of last year.

1738. In the spring of 1907?—Yes.

1739. When did Sir Arthur Vicars sign the bill?—I cannot say.

1740. Mr. Jones.—Did you sign two on that date?—I signed two at different times. It was under peculiar circumstances. I was away from home. I had been in Park, and I arrived back, and my mother handed me a telegram saying, "I am coming down by the eight train" from this gentleman. This was Saturday. He came and he said, "I am in a great hole, I cannot go over to Ireland to see Sir Arthur Vicars, who has requested me to help him in this matter, it is merely a question of shares, and it must be done at once. I must have the money by Monday morning, and unless I can get somebody to do it I shall be in the greatest difficulty." I despaired, and then he said, "My family solicitor is coming down this evening, and then about half-an-hour afterwards, sure enough, a gentleman appeared with a black bag, and asked me if I knew what business he had come on, and I said, "I presume you have come about this business," and he said that he had, and he said "You are Mayor of Canterbury," and other things. I said "You must find that out from other people," or words to that effect, and he said, "Are you prepared to sign this bill?" and I said, "I do not like it, but as it is to please Sir Arthur Vicars, and I am to be in his office, I will do it." See this witness' evidence, 1833.

1741. CHAIRMAN.—To please Sir Arthur Vines you signed this bill for Shackleton?—Yes, and I was told that it was his old family solicitor, and that the whole thing was to be put square, and that it was only for a week or less than a week. But it never was put straight, and there was a good deal of unpleasantness and difficulty about it.

1742. How much was that for £1,500.

1743. You signed another?—I signed a previous one—this cancelled it—almost under similar circumstances, and I did not take any more notice of it.

1744. Was either of these bills honoured?

1745. Mr. Jones.—When did the £1,500 bill become due?—It was to be paid back in some instalments, I think. I do not even know whether it was negotiated. I took the document and the letter about that bill to Sir George Lewis and asked him to see to the whole thing, and he did.

1746. CHAIRMAN.—Somebody must have paid the bill, Mr. Goldney, if Shackleton did not?—Oh, Sir George Lewis insisted upon it that it should be paid at once, because he was able to bring a certain amount of pressure, I suppose, and it was paid off. It was paid off, as a matter of fact, I believe, by Mr. Shackleton's brother, but I do not know for certain, but they were both paid off together.

1747. Owing to the pressure that was brought to bear by Sir George Lewis?—Yes.

1748. Mr. Jones.—That was in October some time?

—Yes, but it was merely by chance that I happened to find out anything about it being wrong, and that the man was a money-lender. I was asked by a friend, "Do you know the name of this family solicitor?" and I said, "I do not think I do," but I have a letter from this gentleman which, I understand, is emanating from me having any responsibility.

1749. Then did you sign a bill for Sir Arthur Vines for £2000?—No. Sir Arthur Vines signed for Shackleton. I have never seen Sir Arthur Vines money in my life. I have offered to do so.

1750. CHAIRMAN.—The previous bill of £1,500, was that also signed to please Sir Arthur Vines?—So I was told; I believed that it was so. It is just the same. There has been a little friction, I daresay you know of it, between members in the office owing to money, and it has always been over this question. I helped these people, honestly believing it was Sir Arthur Vines' wish that I should do so, and it was merely by chance that I talked to Sir Arthur Vines about money matters, and then he told me "I never asked you to do it, and never wished you even to do it, and did not even know all the details." Then we began to compare notes, and I found out things that I had no idea of.

1751. Mr. Straker.—When was the first transaction?—It must have been soon after I came over to Ireland for the Horse Show, I think.

1752. August?—If you want the dates I can get them for you.

1753. CHAIRMAN.—One was in 1906, and the other was in the spring of 1907, I understand?—Yes. You are welcome to any of the documents, if you like. Please understand this (addressing the Solicitor-General). I do not want to prejudice you against any member of the office.

1754. The Solicitor-General.—Mr. Goldney, addressing me, says that he does not want to prejudice me against anyone. But it is not for me; it is for the Commissioners to find out all about this matter. What comes before you here is a voluntary statement by Mr. Goldney.

1755. CHAIRMAN.—It is a voluntary statement by Mr. Goldney, and we must consider whether it has any bearing on the question.

1756. The Solicitor-General.—I make no objection at all, but as you say, sir, that statement is one that is absolutely voluntary by Mr. Goldney, and not in reply to any question either from me or from the Commission.

1757. CHAIRMAN.—I can see circumstances very plainly under which it might become strictly relevant.

1758. The Solicitor-General.—Certainly, and I offer no objection to the evidence being put before the Commission. I have mainly spoken in order to guard my own position.

1759. CHAIRMAN.—We make it very clear that it is evidence which is not asked for by you, or brought about by you in any way. (The Witness)—Why I mention it is this, that I think that you ought to know

that when I speak to Sir Arthur Vines, as I did frequently, about his money troubles, about his own expenses in his house, urging him to go into a smaller house, he told me that he had more than once asked to come and live here in this office, and that he thought that it would be much more desirable than the usual course and everything would be so much safer. There had been some doubt about the office being left at night and nobody being here. I do not think a doubt had crossed my mind that the jewels were unsafe because they were left at night, but I think you should know this, that after the jewels were stolen one of the members of the office said to me that he had doubted whether they were safe or not.

1760. The Solicitor-General.—Who had doubted?—One of the members of the Office of Arms.

1761. CHAIRMAN.—Is there any objection to mentioning who it was?—No. It was Mr. Shackleton who spoke to Sir Arthur Vines and me, when he came over, and said that he had told a lady only a few days before the robbery that he should never be surprised to wake up one morning and find them stolen, and Sir Arthur Vines was really annoyed at this statement, and he said, "Well, if you thought they were unsafe why did not you ever speak of it to me?" I asked him, "Why did you think they were unsafe, and why did you say such an extraordinary thing at such a peculiar time?" and he said, "Because the office was left at night and because it was so lonely." The reason of his saying it was peculiar, but, I think, a perfectly straightforward one, but the reason it is impressed on my memory so well is this, that when he came over with a lady who was on the boat—

1762. CHAIRMAN.—What time was this?—He said it at breakfast. This was at breakfast.

1763. What was the date?—I stated that Mr. Shackleton had arrived from England after the robbery had become known, and he had come over from England during the night, and at breakfast, of course, we were talking about it, and he said to Sir Arthur Vines and me that it was such an extraordinary thing that a lady on the boat, with whom he had been at least only a few days previously, said to him (I do not profess to give the exact words, but this is the exact meaning), she said to him, "Oh, Mr. Shackleton, what a curious thing that you should have been saying to me the other day that you should wake up one morning to find the jewels gone, and now we are reading in the paper that they are gone," and he told us this, which made Sir Arthur Vines and me say, "If you thought they were unsafe," as Sir Arthur Vines put it, "why on earth did not you tell me?"

1764. What answer did he make to that?—When I asked "Why," he said among other things that the place was left at night.

1765. When Sir Arthur Vines asked him "Why did not you tell me," what answer did he make to that?—I cannot remember what exact answer he did make. We had a good deal of it afterwards and Sir Arthur Vines was quite angry about it.

1766. Mr. Shackleton was staying in Sir Arthur Vines' house at that time?—Yes. He had come over to stay here.

1767. Mr. Jones.—Was this Bill that Sir Arthur Vines had signed for Shackleton in the hands of money-lenders, too?—I cannot say; I think it was in the hands of these same people.

1768. The same money-lenders?—I think so, but I do not think Sir Arthur Vines had any more idea than I, or the man in the room, that the people were money-lenders, and not his family relations. I have never seen that man that came down with this black bag from that day to this. But why I spoke of Sir Arthur Vines' expenses in his house was that I might be able to say how it was that I had urged him to leave his house, and how it was that I said that he would like to come and live here, because he thought that if he lived here it would be more satisfactory altogether, because somebody would be sleeping on the premises.

1769. CHAIRMAN.—Have you any further statement to make?—Yes; one. That I think the gentleman who was in the room when Lady Donegall was here was the son of Lord Liverpool. I think it was Sir Arthur Vines or it may have been Mr. Burroughs afterwards, told me. You asked me yesterday who it was and I could not tell you at the time.

DENVER.
Jan. 16, 1908.

1773. It was Lord Hawkesbury!—Yes. I am nearly sure that he said it was the son of Lord Liverpool. Another important thing is that it was only yesterday. I was not here at the time. I am sure there was somebody with him, because I remember very well, and I was thinking over it last night, a remark made by some other person at the time, I remember smiling at the expression, "If I live to my dying day I shall never forget Sir Arthur Vizars' face of horror." That reminds me that there were two people at the office when the safe was opened.

1773. The Solicitor-General.—Who was that?—I think it must be Sirvey. I think I told you yesterday Sir Arthur Vizars opened it; of course I was not here. I remember that perfectly well as Sirvey's remark of his own saying at the time that he opened the safe.

1773. CHAIRMAN.—The only thing that I want to ask you is, can you fix approximately the date at which Sir Arthur Vizars told you that it would be much safer if we were allowed to stay on the premises?—He never said that it would be much safer for the jewels; he said it would be more satisfactory if somebody was sleeping on the premises.

1773. It was put with reference to the custody of the jewels?—It was not in reference to the custody of the jewels, but the general safety of the place. I never heard the safety of the jewels questioned till I heard the remark that "I should never be surprised to wake up one morning and hear that they were gone." That was the first time that anyone doubted their safety, but I have never doubted it myself.

1774. The Solicitor-General.—May I, as a result of the statement made by Mr. Goldney, ask him a few questions?

CHAIRMAN.—Certainly.

1774. The Solicitor-General (to Widdowson).—Kindly give me the date of that conversation between Mr. Shackleton and Sir Arthur Vizars?—The conversation at breakfast?

1775. At breakfast?—It must have been the day after Mr. Shackleton arrived from England.

1776. Was that after the robbery?—That was after the robbery.

1777. What day did you return to England?—I think it was on the Wednesday, but I am not quite sure whether it was the day of the King's visit or the day before. I cannot remember.

1778. CHAIRMAN.—Is that a diary you have in your hand?—It is my diary for this year.

1778. You have not your diary for 1907 have you?—No.

1779. The Solicitor-General.—As I understand, Mr. Shackleton came over in or about the time of the King's visit?—Yes. I came over on the Sunday, and he followed either on Monday night or Tuesday night.

1780. And, therefore, the conversation you have alluded to took place either at the breakfast on Tuesday or on Wednesday morning?—Yes.

1781. That would be the 8th or 10th of July?—Yes.

1782. And, as I understand, Mr. Shackleton in discussing this matter with Sir Arthur Vizars?—We were both there, Sir Arthur Vizars and I, at breakfast.

1783. ——stated that he had previously said to a lady——? He said that this lady had said to him, and mentioned it as such an extraordinary coincidence, that this lady had said to him on the boat, using the words more or less as I say them, but I do not mean that they are practically exact, that is, I cannot venture to quote—"What a curious thing, Mr. Shackleton, that you should have said the other day at lunch, that you would wake up one morning and find the jewels gone, and now we see in the newspaper that they are."

1784. In other words, Mr. Shackleton informed Sir Arthur Vizars practically that he (Shackleton) had on a previous occasion said to a lady that he would wake up some day and find the jewels gone!—that he would not be surprised.

1785. That he would not be surprised, Mr. Shackleton was the person who told that to Sir Arthur Vizars!—Yes, and told it to me, too. We were both there.

1786. Did you say that Sir Arthur Vizars was angry at the time?—Yes, and he seemed very much upset about it afterwards, because in speaking to me afterwards he said "Why on earth, if he thought the jewels were unsafe, why could not he have said

so, and then I should have been saved all this trouble."

1787. When did Sir Arthur Vizars make that statement to you?—During my visit. We practically talked of nothing else the day or two I was here.

1788. You left on the Wednesday or Thursday?—I left on the Wednesday night.

1789. Wednesday, the 10th of July?—Wednesday, the 10th of July.

1790. I observe that Sir Arthur Vizars' statement on the 12th of July, contains this passage—"I do not suggest any single one of my staff had anything to do with it, nor do I suspect my maid-servant or footman, nor any person, who slept in my house." He stated that on the 12th of July, after your departure?—Yes.

1791. And after that conversation that you have now spoken of by Shackleton?—Yes. I do not think he did suspect anybody.

1792. You told me, Mr. Goldney, that this conversation occurred at breakfast; and, as I understand, at Sir Arthur Vizars' home?—Yes.

1793. Mr. Shackleton was staying at the house at that time?—Yes, and he stayed there after I left.

1794. With Sir Arthur Vizars?—Yes.

1795. You have gone into this money matter which deals with Mr. Shackleton in his absence, and I have a certain reluctance to deal with it!—Of course, you see how the money matter appears on the face of what I have to say. You see how the money matter relates to my conversation with Sir Arthur Vizars as to his leaving St. James's Terrace, and of his telling me of his desire to come here.

1796. I have, at any rate, heard your statement.

1797. Chairman.—At the time of that conversation these two bills were still outstanding, and had not been settled, the £1,500, and the £900?—No, they had not. I may say it is all settled now.

1798. The Solicitor-General.—When did Sir Arthur Vizars go to live in Clonsleigh-Terrace?—I do not know.

1799. Did you ever hear at all?—Yes, I may have heard, but I really cannot tell you that. I really do not know.

1800. Do you know was it before or after he came into this present office?—That I cannot say. I had the other house pointed out to me where he had been, but I cannot say when he moved. I think it was a joint tenancy house at Clonsleigh.

1801. The house was taken, was it not, under a joint tenancy between Mr. Shackleton and himself?—I believe so.

1802. When was Mr. Shackleton appointed Dublin Herald?—That I cannot tell you, but it must have been the year I was.

1803. CHAIRMAN.—1906, I think we had it.

1804. The Solicitor-General.—As I understand, sir, it was in September in 1906; (to Widdowson).—Tell me the house was taken at Clonsleigh-Terrace on a joint tenancy between Sir Arthur Vizars and Mr. Shackleton?—Yes.

1805. And Mr. Shackleton came to Dublin apparently in September, 1906, or thereabouts, is not that so?—If that is the time that he was appointed Dublin Herald I have no doubt that he did.

1806. That was his first connection with Dublin?—No, I do not think that is what I said. I think he used to work here. Family tree work, and things of that kind, before he was Herald.

1807. Then you do not know the date he became herald of Clonsleigh?—No, I do not, but I believe, though I may be wrong, that he used to work in this office for some considerable period before he was Herald, because I think that he wrote, or rather helped Lady Drogheads to write, a family history.

1808. I have no desire to go very far into these money matters, but I understand you said that the result of pressure brought to bear apparently in October, 1907, was that the money was paid up?—The money was paid up at that time owing to what Sir George Lewis wrote to Mr. Shackleton.

1809. And do I understand that the money was paid by Mr. Shackleton's brother?—That is my belief, but I cannot say.

1810. Who is Mr. Shackleton's brother?—Mr. E. Shackleton, who is now in command of the Antarctic Expedition.

1811. And do I gather from your own statement that it was because of Sir Arthur Vines' financial position that you counselled him to take a smaller house?—Yes, certainly, because he told me that his expenses were more than his income.

1812. Did he say that?—Yes; he said that he found it rather difficult to make both ends meet at every quarter.

1813. When did he tell you that?—He told me that first, I think it must have been at the time of the opening of the Exhibition.

1814. That was in May, when you were over here?

—Yes.

1815. That was your only official visit to Ireland?

—My only official visit to Ireland.

1816. You were here three or four days at that time?—Yes.

1817. And was it at that period, while you were in his house, that he made that statement to you?—Yes, it was.

1818. Now, I want to get this from you, when did you come to Dublin for this visit?—This visit to-day?

1819. You?—I left Canterbury on Sunday night.

1820. You told me before that when you came to Dublin you stayed with Sir Arthur Vines?—Not this time.

1821. You are not staying this time?—Certainly not. I stayed yesterday at the Shambles.

1822. I beg your pardon, you said that before, on the former occasion, you stayed with him?—Yes, on the former occasion.

1823. That is what I mean. It is in that sense that I mean you told me that before!—Oh, yes, I beg your pardon.

1824. Did you see him at all since you came this time?—Yes, certainly, I met him by accident yesterday and there were other people present. I will tell you exactly.

1825. I merely want to get the facts first?—I met him yesterday. Yes.

1826. Where?—It happened in this way. I telegraphed in the morning to find out who was acting generally for the Officers of Arms; that is what I wanted to get at, because I am unrepresented by Counsel at all, and I called on Mr. Meredith in 32, Merton-street, but he was not in, and I waited, and at last Mr. Meredith came along, and he said that it was not he who had charge of the case for Sir Arthur Vines, but his brother, and if I would come back I should probably see him. So when I left this office yesterday I went to 32, Merton-street, and Sir Arthur Vines was in the room with the two Mr. Merediths, and I did not see Sir Arthur Vines alone. I asked to see Mr. Meredith alone, which I did, and then Mr. Meredith went out of the room and saw Sir Arthur Vines, and brought me back a message and said Sir Arthur Vines would like to offer me some hospitality, and I said that I would rather not, as I did not intend to call on Sir Arthur during my visit to Dublin, as I felt it would be better that I did not. I do not want you to think that I have been seeing Sir Arthur Vines privately.

1827. I merely want to get the facts. Mr. Meredith is the gentleman that you have referred to?—Yes.

1828. Where did you see Mr. Meredith?—At his house.

1829. Where is that?—32, Merton-street.

1830. That is his office, I suppose?—I presume so.

1831. Is he a solicitor?—He is, but I did not know that till I went to see him.

1832. How did you go to see him yesterday?—I saw in the newspaper that Mr. Healy was Counsel, and I telephoned to Mr. Healy, and he sent me Mr. Meredith's address. When I left Canterbury I did not know what I might be wanted for here, and I did not know whether I ought to be represented by Counsel or not, and my father, who is a barrister, said that the best thing that I could do was to see Mr. Healy and ask if I ought to be represented by Counsel. So I telephoned to Healy in the morning, and he said "Not without consent of solicitors, Messrs. Meredith," so I looked into the Directory, but I could not see him. He was not there.

1833. When did you go to see Mr. Meredith first?—Before I came here yesterday.

1834. Chairman.—You did not see him till after you gave your evidence yesterday?—No, because he

was not there. I saw a lame gentleman, his brother, who said that he was very sorry his brother would not be there till eleven, and I said I might be at the Office of Arms at half-past ten, and I did not know whether I ought to come here alone or not, you know. I wanted to know if I ought to have Counsel representing me.

1835. The Solicitor-General.—Your father said that your last name was to—?—See Mr. Healy and ask whether I ought to be represented in connection with this, or have anyone here with me when I come before you.

1836. Then I understood you wished to consult Mr. Meredith on that point?—I wished to ask Mr. Healy. I telephoned to Healy, asking, and he referred me to Meredith, and then I could not consult him because he was not there.

1837. What was it took you back?—I had said to his brother that I would go back and see his brother afterwards, and I should like to see that I should have somebody to act for me in Dublin if it was necessary in future.

1838. in connection with what?—In connection with this whole affair.

1839. What, occurred yesterday to make you desirous of having a solicitor to act for you in connection with this affair in Dublin?—Well, nothing in particular, but do you not see this is a serious case?

1840. That is, for you?—No, but for Sir Arthur Vines.

1841. And what concern have you?—Because I thought that possibly we might have another inquiry later on. Do not you think that a possibility?

1842. But how are you yourself concerned to be represented by a solicitor?—Well, I thought that when I came here yesterday it might be advisable for me to have one with me.

1843. But tell me now, when you went back to Mr. Meredith did you go with a view to making preparation for the future?—Well, that was in my mind.

1844. I merely want to get information?—Well, I give it to you quite honestly.

1845. Is what respect do you say, as regards the future, that it would be desirable, in your interest, that you should be represented by a solicitor in Dublin?—I do not know that I am not obliged to look into the future. I am not sure whether there may not be another Commission, a public Inquiry, and I think that it is desirable that a man who is not a solicitor or lawyer should be represented by counsel in serious affairs.

1846. CHAIRMAN.—Was it in consequence of communication with Mr. Meredith yesterday that you came here this morning?—Certainly not, and that I can absolutely declare.

1847. The Solicitor-General.—With Mr. Meredith?—No, nor Sir Arthur Vines. I did not see Sir Arthur Vines alone.

1848. You knew Mr. Meredith, of course, is Sir Arthur Vines' solicitor?—Yes, I do now.

1849. You knew that Mr. Healy was his counsel?—I read it in the paper, or rather whether I or my father read it in the paper I do not remember.

1850. And what time in the afternoon was it you saw Sir Arthur Vines yesterday?—I saw Sir Arthur Vines in Mr. Meredith's office after I left here.

1851. That would be four or five o'clock?—Yes; I did not go to see Sir Arthur Vines. I did not know he was there, and I was very much surprised to see him, and it was really a chance visit.

1852. When before did you see him?—Some months ago, in England. He wrote me again and again to come over here, but it was inconvenient, and I really did not see any use in doing so, and it is just as well that you should know that before I came I wrote to Messrs. Lewis and Lewis that I was coming over here, and that I would let them know what took place in Dublin, as I might want them to act for me. I do not know whether you think that was a wrong thing for a lawyer to wish.

1853. When just did you write to Sir Arthur Vines from Canterbury yourself?—I wrote to Sir Arthur Vines last from Canterbury, I think, at Christmas, and I do not think I have written to him since.

1854. The Christmas of last year, that is within the last two or three weeks?—I am not sure whether I wrote or my mother wrote, but at any rate it was not about business.

DORSET.
Jan. 14, 1908.

DENNIS.
Jan. 14, 1906

1853. Did you invite him to come to Canterbury?—No, I did not; but I think my master did.

1854. At Christmas?—Yes.

1855. CHAIRMAN.—There is nothing more, Mr. Goldsey?—I do not think so, sir.

CHAIRMAN.—I think it right to state, Mr. Solicitor, that we thought it well, as so much evidence has been given before us that seems to affect Sir Arthur Vivers in his character as custodian of these jewels,

to give him another opportunity of appealing here and explaining matters that we think require explanation, so by our direction this morning the Secretary has written to Messrs. Meredith informing them that evidence has been given here which seems to us to bear on the question of vigilance and care in the custody of the jewels, and that if he is willing to assist the Commissioners by giving them any explanation we shall be ready to have him, and that he may be accompanied by his counsel.

Mr. W. V. HARREL, M.V.O., Assistant Commissioner of Dublin Metropolitan Police, further examined by the Solicitor-General.

1856. I should like to ask one question in connection with the evidence of Mr. Harrel. (To witness)—You remember the strong room key being acquired by the police?—Yes.

1857. One of them?—One of the four keys; yes.

1858. And one of the keys of the safe containing the Regalia?—Yes.

1859. When did they come into the possession of the police?—On Monday, the 8th of July.

1860. Did you have careful inquiries made from every locksmith in Dublin?—Yes.

1861. As regards each of those two keys?—Yes.

1862. Tell the Commissioners exactly the result?—These keys were exhibited to every locksmith in Dublin, and in every hardware shop, where keys were known to be made, and these persons were asked whether any such keys had been made by them, or whether any person had made inquiry as to the making of such keys. The inquiry by the police lasted for some days, and I believe that they exhausted every person in Dublin who was known to the police in any way in that trade. None of them had been approached on the subject, or had made similar keys, or had been asked to do so. I also communicated with Messrs. Ratner and Messrs. Miller, and they had never been asked by any person to supply duplicates of the keys of the safe or the strong room. I may also say, with reference to the inquiry about the telephone in Sir Arthur Vivers' office, with reference to that portion of his time when he said he went to the Chief Secretary's office, that although the telephone here is in connection with every other place, it is only by being put through by the switch-board at the Chief Secretary's office; and therefore, for persons not inside the office it would be as convenient, or more convenient, perhaps, that they should go on and telephone from the Chief Secretary's office than be put through here.

1863. In going to the Chief Secretary's office, of course, a person still remains within the area of the Castle?—Certainly.

1864. And the Chief Secretary's office is within thirty or forty yards of this present office?—Yes.

1865. Mr. SNAZIER.—Has any inquiry been made with the object of tracing what Sir Arthur Vivers' movements were that night?—Well, there was; yes. Of course the difficulty that I really have about these matters is that I do not wish to say anything that would be detailing the steps taken by the police, and the information in their possession, beyond what might be absolutely necessary to enable the Commission to arrive at a conclusion in respect of the terms of reference that have been made to them.

1866. Mr. SNAZIER.—In your inquiries as to the movements of the officials of the office on the night of the 8th did anything transpire that would tend to throw suspicion on any particular person?—Well, I think I may fairly say that nothing of the kind did transpire. No; I think I may fairly say that.

1867. The Solicitor-General.—You were asked by one of the Commissioners whether there was anything to throw suspicion upon any of the officials, and I understood you to say, not on that day. Did anything come to your knowledge?—I understand you to refer to their movements.

1868. Mr. SNAZIER.—Yes; in your inquiries as re-

gards their movements on the evening or night of the 8th did anything transpire that would tend to show suspicion on any one of them as having been the person who entered the premises on that night? Well, as I have stated already, I may fairly say that nothing did transpire.

1869. The Solicitor-General.—Tell me. Do you know when Sir Arthur Vivers, in fact, left the Castle premises?—No.

1870. Do you know anything more about his movements after he parted with Hocklock outside this door?—No.

1871. Mr. JONES.—Is there nobody in the Chief Secretary's office who can remember his coming in?—No; I believe not.

1872. Is nobody to be called from the Chief Secretary's office?—The Solicitor-General.—We have nobody who can give us any information about that.

1873. Mr. SNAZIER.—What I wanted to know, to put it shortly, is, did Sir Arthur Vivers reach his home that night, and at what hour?—Well, of course we have Sir Arthur Vivers' statement on that subject, and that he was at home we know. The exact hour there is difficult in ascertaining. Of course, it is really a difficult thing to give exactly this information, I think.

1874. Mr. JONES.—What else are we here for?—Well, I may say that if that is the view to be taken there is an enormous amount of information in the possession of the police about this case covering six months' work. I understood all along that these things were not to be the subject of inquiry here.

CHAIRMAN.—My colleagues of the Commission think that we ought to retire to consider this question of whether any inquiry of this sort is within the scope of our Commission or not.

The Commissioners then consulted in private, and on resuming:

The Chairman said, I wish to say that we have carefully considered the question of what evidence we ought to take from Mr. Harrel, or any other person representing the police, in regard to the movements of the officials or of any other person, who had access to this office on the day preceding the disappearance of the jewels, or rather the discovery of the disappearance of the jewels, and while we are extremely unwilling to embark on anything that could be construed into a criminal investigation, or an idea that we were a Commission appointed to find out who was the author of this crime, we are of opinion that we are bound to investigate all the circumstances connected with the disappearance of the jewels, and that any evidence that can be given as to the movements of any one who had access, or who could have had access to the jewels on the night preceding their disappearance is strictly relevant to our Inquiry.

The Solicitor-General.—I may say, sir, that that absolutely coincides with my own view as to the scope of the Inquiry, and if it steps short of that I do not think that it will be in any sense complete or satisfactory, and my own desire would be to submit to the Commission all the facts from which the Commission can then draw its own deductions as to the circumstances of the loss. I have no doubt that the police will have to be very cautious in this matter lest the interests of justice should be prejudiced in any way in the case. But it occurs to me, subject to what Mr. Harrel may say, that there may be no objection to stating all the facts within his knowledge either relative to the movements of any of the officials or any other person, who had access to the premises at the same time.

1875. CHAIRMAN.—If the police, or those representing them, can at any time satisfy us that the answering of any question would in any way prevent them from further prosecuting their inquiries or interfere with the course of justice, of course we will not ask them. (Witness).—Well, sir, I have no objection whatever to give the facts to enable the Commission to arrive at any conclusion. The only difficulty that I had was that I had an objection to give my impressions.

1876. But we do not want them?—That was the question that raised the difficulty in my mind.

Drake,
Jan. 14, 1906.

1879. Mr. STAKER.—I did not ask you for your suspicions, I asked you if anything had transpired which tended to throw suspicion?—Exactly, if I replied to that I would say that so and so do tend to throw suspicion on a certain person, and that is what I wished to avoid.

1880. Mr. STAKER.—But what the particular facts were which would throw suspicion on any person it would be for the Commission to judge.

1881. CHAIRMAN.—I think it will be better to ask for the facts, and then we can come to our own conclusions. We will only ask for the facts and make up our minds.

1882. The Solicitor-General.—Quite so, sir, and I am most desirous that all the facts should come before the Commission. (To witness).—May I ask, Mr. Harrel, with a view to that, do you know now anything about the movements of Sir Arthur Vicars that night beyond his own statement that he parted with Hecklock outside the office and went to the Chief Secretary's office to use the telephone?—Nothing, except that I believe that subsequent inquiry showed that he arrived home.

1883. Do you know at what hour?—I do not know.

1884. Now, may I ask you the general question put by one of the Commissioners. As regards any other official or any other person having access to the office, do you know anything beyond what has been already revealed in the course of this Commission?—No.

1885. Mr. JONES.—Really, we have got no information as to what Sir Arthur Vicars' movements were, except that you know that he went home?—Yes.

1886. Have his servants been seen? Could not they say when he came home?—Yes, approximately.

1887. When was it, please?—That I could not say.

1888. Have you got the officers who made the inquiry?—Yes, they are here.

1889. I can hardly understand such a bold state of affairs as exists so long a time after the dis-

appearance of the jewels, that the only thing that is known is that he went home that night. There must be something more known about him.

1890. CHAIRMAN.—Who was the officer who prosecuted the inquiry?—Oh, a number of them were engaged. Of course, I can have them later on.

1891. Then, take for instance, Mr. Burkhall then Mr. Burkhall has told here?—Personally I do not.

1892. Or do the police know?—There were inquiries made at the time about all the officials in the office.

1893. Are you aware of any facts concerning them beyond what has been revealed?—None.

1894. And does that apply to all the officials?—Yes.

1895. Does that apply to Detective Kerr, who was examined here?—In what way?

1896. As to his being here in the office, at the time he came here, or anything of that kind?—Oh, of course, it is known approximately, the time that he was here.

1897. Mr. JONES.—Speaking for myself, I shall be very dissatisfied if I do not have more information of the movements of these people. I cannot imagine the police not having made inquiries, or somebody else not making inquiries, and we should get the result of those inquiries.

1898. CHAIRMAN.—Mr. Harrel intimates that he will produce the officers who made the inquiries, or at least some of them, who can give us relevant evidence.

1899. The Solicitor-General.—Had any of the other police keys except Detective Kerr?—No.

1900. He was the only one who had a key for the office?—Yes.

The Solicitor-General.—Before we go to police witnesses perhaps the Commission will allow Mr. Hodges, who has come over, to be examined.

CHAIRMAN.—Yes.

Mr. JOHN CRAWFORD HODGESON, F.R.S., examined by the Solicitor-General.

1901. Mr. Hodgeson, you are a Fellow of the Society of Antiquaries, and you are Librarian to the Duke of Northumberland?—I am, sir.

1902. And you were in Ireland on Monday, the 10th of June, last year?—Yes, I arrived in Dublin on the previous Friday morning.

1903. Did you on Monday, the 10th of June, dine at the residence of Mr. Chamney, of the Bank of Ireland?—I was staying with him.

1904. On that night, was Sir Arthur Vicars a guest of Mr. Chamney at dinner?—He was.

1905. Had you known Sir Arthur Vicars before?—No.

1906. During the course of the evening did Sir Arthur Vicars give you any invitation in regard to the Office of Arms?—Yes, he did.

1907. Kindly tell the Commission?—I have done a great deal of genealogical work in my own part of the country, and that is the reason perhaps of Sir Arthur Vicars being asked to meet me, and it was the more welcome to me because he, through one or two strains of his ancestry, comes from my part of the country. He is descended from the Tyne-side family of Hedley, and the Northumbrian family of Shatto, and in the course of conversation I said I had constructed and printed a pedigree of the main line of Shatto, and Sir Arthur Vicars asked me if I could help him with that of the Hedley line.

1908. CHAIRMAN.—We only want to know about the visit?—Then he asked me, if I was staying in Dublin, to call and visit him at the Castle, and I said I was sorry I am leaving to-morrow, on Tuesday. Ultimately, it was arranged that I should call here upon him at half-past twelve, and he would show me some of the records of his office.

1909. The Solicitor-General.—You did come?—I came, yes.

1910. Did you, on that evening of the 10th of June, know anything at all about there being regulars or jewels in this office?—No, sir.

1911. And was the invitation, as I understand it, first made to come, and that he would show you some of the records of the office?—Records.

1912. Were you at all apprised by him or anyone that there were jewels here?—No.

1913. Did you come next day in pursuance of that invitation?—I came at half-past twelve.

1914. And you saw Sir Arthur Vicars?—I saw Sir Arthur Vicars.

1915. Did he show you through the office?—I think he received me in a room upstairs.

1916. Did he show you through the office?—He showed me one, two, or three, or four rooms.

1917. Amongst others did he show you this present room in which we are now?—This present room.

1918. When you came into this room did you see the safe?—If I remember aright I saw a huge bench or desk in the centre of the room.

1919. That has been removed for the purpose of this Commission.—And then before I left he opened that safe which stood in the room.

1920. Did he ask you to open it?—Certainly not. I had noticed that it was there. Then it was opened.

1921. When he opened it did he show you anything?—Yes; he showed me.

1922. What did he show you?—He took out two cases out of the safe, one of which contained a collar and the other a jewel.

1923. Describe the jewel that he showed you?—I do not know that I can. It looked to me almost a mass of brilliants and so forth, two or three inches wide. (The pictorial representation of the jewels in the plaided offering a reward was shown to the witness, who was asked if the jewels he had seen corresponded.) The witness said, I think so; I do not know which it was.

Superintendent Lowe was here called into the room, and opened the safe.

1924. The Solicitor-General (to witness).—Can you recognise or remember the case?—No; I do not think I can. I am sure it was a case, but whether it was square, or round, or oval, I cannot say.

1925. Could you recognise the collar box?—No; I do not think I could. He showed me a third article which interested me more than the jewels. That was a blue silk or velvet garter, which, he said, had belonged to the great Duke of Marlborough.

DUBLIN.
JUN. 14, 1908.

1930. Could you, looking at the description on the safe I have shown you offering the reward, say whether it was one of them?—No; I really could not say.

1932. But was it like either of these two?—I really know very little of jewels. No; I cannot say.

1933. Was it a splendid jewel?—It was a very splendid jewel; it was, even to the uninitiated, a very splendid jewel.

1934. Did he tell you what jewels they were?—Yes.

1935. What did he say they were?—I understood that they belonged to the Knights of Saint Patrick and to the Lord Lieutenant.

1936. Did he say that?—That is what I understood.

1937. Did he tell you to whom the collar belonged?—No.

1938. Did you understand that the jewels belonged to the Lord Lieutenant?—Yes, I did, and I think they were displayed to me on a desk in that window (pointing to the window at the end of the room). I think there was a sloping desk.

1939. Was it one of those with the chain attached? (Illustration shows the witness.)—I cannot say. I should have thought not. I may be confusing the chain with the collar. I saw two articles. I saw a chain or collar, one or the other. I don't know the technical distinction; a thing that would go round a man's neck; and I saw a jewel.

1940. Chairman.—Was anybody with you in the room at that time?—Yes; I think there was somebody. I do not know that I was presented to him. I was presented to Mr. Barthasell, but whether he was in the room or not I do not know. I think he was.

1941. But was there somebody who was not Mr. Barthasell also in the room?—I have a vague impression that there was a third person, but I cannot say positively.

1942. The Solicitor-General.—Did he show you two jewels of only one?—I think one.

1943. Was there any ribbon attached to it, as well as you remember?—I do not remember. He showed me some ribbons. I think that is the case against the wall. He showed me a variety of ribbons. That is all I can recollect.

1944. And having shown you these articles did he put them back in the case and put the cases into the safe, and did he close the door of the safe?—He closed the door of the safe.

1945. Can you say whether he locked it? No, I cannot. I can say he drew the key out of it.

1946. Was it after the door was apparently closed that he drew the key out of it?—Yes, it was; I assumed that he turned the key. That, of course, I cannot say.

1947. As I gather from you, the exhibition of the jewels was a voluntary act on the part of Sir Arthur Vicars?—Oh, certainly. It was a matter in which I was not interested, but of course I was grateful for his attention, and gratified.

1948. You some time after that got a telegram from Sir Arthur Vicars, I believe. Have you got that telegram?—I have. I ought also to say that I have, Sir Arthur Vicars' permission to produce the correspondence, and I have it all. (Witness hands correspondence to the Chairman.) Would it be more satisfactory for me to read the telegram? or for somebody else to read it?

1949. Chairman.—I think you had better read it yourself.

Witness read telegram from Dublin Castle, Chief Secretary's Office, Dublin, addressed to the witness at Altnwick, marked "reply paid."

"Am anxious to know latest date on which safe with jewels was opened. Do you recollect whether I showed them to you when here on 16th June. Wire reply. Letter follows. Yours sincerely, Ulster."

1950. The Solicitor-General.—Did he open that safe on the 16th July?—Shall I say what was my reply to the telegram?

1951. Yes?—I replied to the telegram that I saw jewels on Tuesday, 13th June.

1952. Chairman.—Have you got the letter that followed?—Yes, sir. I have. I have two letters of that date. Shall I read them?

1953. Yes, please?—(Witness read as follows):—
Prints. "On July, 1907, Dear Mr. Hodgson, Many thanks for your prompt reply to my wire. A dreadful thing has happened. On going to the safe in our office today to lock up the late Lord de Bosc's collar which had just been returned to me, to my horror I found the contents of the safe had been rifled and the Crown jewels removed from their case and five gold collars of the Order of Saint Patrick (valued at £220 apiece) removed from their cases, and also my brother's jewel box in which were my mother's diamonds pose, which he had asked me to keep for him in safe custody. In fact the only things left were the empty cases, and my patent and my and my brother's wills. I wanted to tell the police the last time I knew the contents were safe and the only two people I could remember lately being in office to whom I might have shown them, and I thought I had to one or the other, was yourself and Dr. Finney of King's-in-Thames. He is an old friend of mine. I therefore wired to you and him. He was at office on 25th June, and you on the 10th, Monday. He replied "No, that he had not been shown them," so it takes us back to nearly a month when I knew all was safe. You say in your wire, Tuesday, the 11th, but I think you must be mistaken, as we met at Chancery on the Saturday, and you came in on Monday, and the office diary gives your name on Monday, 10th. It is not of much importance, only a day. The police are hard at it, and the hue-and-cry will be raised all over Europe, but for the present keep this to yourself, absolutely. It is awful for me, but what more could mortal do when a safe lock is picked, as appears to be the case, for no sign of tampering with safe or lock is visible. I must end to catch post. Any details you can remember will be valued as much as whether you recalled my putting all away and locking safe. It was found unlocked, but I can swear I locked it. Yours sincerely, A. Vicars, Ulster." I replied to that at once, saying that I was confident that my date was correct, because I knew from my cash-book, then by a later post, another letter came, of the same date. Shall I read this?

Chairman.—Yes, please. (Witness read as follows):—"7, St. James's Terrace, Chancery, Dublin, 6th July, 1907.—Dear Mr. Hodgson, Since writing in a hurry to catch post I have looked up my own diary, and find that you are quite right in saying you called at office on Tuesday, 11th June, for I had I dined with Chancery on the 10th, but my office messenger has put your name down in the 'call-book' at office on Monday. The object in view is to fix date for the police, when I can state absolutely that all was secure. The safe is a fine one (Ratcliffe and Horner)* and the key of it never left my possession. It was always a source of anxiety to me, having charge of things of such value, and during the Castle season I had to take them to the Lord Lieutenant on full-dress nights, and again get them up and lock them up in the safe, often at 3 a.m., but the police were always about, and a detective patrolled through my office at night. The safe, as you know, was just inside a window, outside which a sentry patrolled night and day, and the grand-rooms of the Castle was next my office. The lock must have been picked, or else a duplicate key got. This safe was supplied in 1888 by the Board of Works. What greater precautions could I have taken? I have had to write to my brother to tell him of our mother's diamonds having been taken, but in fact they made a clean sweep of Saint Patrick collars and all. My only hope is that the stones may be traced, as they were of the finest Brazilian stones of the finest water and size, and such as cannot be had now at any price, and would be sure to be spotted in the diamond market if they appear. You can imagine how I feel, these things taken almost from under one's nose, in a royal palace, two or three yards from the guard. Please keep these details as private, as I understand the police will fit for the present. I am much obliged for your prompt reply to my wire. Yours sincerely, Arthur Vicars, Ulster." "Their Majesties, as you know, are coming here on the 10th, and I am wondering whether this robbery can have been carried out by London experts in this country, who always follow in the wake of Royal visits."

1953. Mr. Stanhope.—Did Sir Arthur Vicars, when he showed you the jewels, say when they were used, and on what occasions?—No; I have no recollection.

* Note by Secretary.—The usual trade-name Ratner is understood to be a contraction of Ratcliffe and Horner.

Superintendent John Lowe examined by the Solicitor-General.

BOSTON,
Jan. 16, 1868.

1860. Now, Mr. Lowe, you are Superintendent of the Detective Branch of the Dublin Metropolitan Police?—Yes.

1861. You heard of this robbery on the Saturday, between 3 and 4 o'clock in the afternoon?—That is so.

1862. You came at once here—I came at once here. William Stivey, then the office messenger, came for me.

1863. Now, did you come into this library where we are?—Yes.

1864. And, I believe, Sir Arthur Vivers was here? Yes, Sir Arthur Vivers was here, Mr. Mahony, and Mr. Birchall, and Mr. Harbeck, and Stivey came in with me.

1865. As soon as you entered this room, did Sir Arthur Vivers address you?—He was standing over at the safe here, and he raised his head and said "A burglary has been committed here right under your very nose."

1866. What did you say?—I asked him what was stolen, and he said, "The jewels have been stolen from this safe, also a number of other things, dollars." "In fact?" he said, "A clean sweep has been made of this safe."

1867. May I ask you were you the first police officer to arrive?—I was the first police officer to arrive here.

1868. After notice was given by Stivey?—Yes.

1869. Stivey came with a report of the robbery to you, and you came at once?—I came at once, straight, with him.

1870. Sir Arthur Vivers told you that they had made a clean sweep?—A clean sweep of the safe.

1871. Did he also tell you that a case containing his mother's jewels had been taken?—Yes; he said they had also been taken. He was unable to give any information of the nature of the contents of the case, because he had not the key. His brother, Mr. George Mahony, had the key of that.

1872. Did he then tell you how the discovery came about?—Yes. He said that he had sent the office messenger, Stivey, with a order which had been returned, belonging to the late Lord de Ros; he gave it to him in his office upstairs, and gave him the key of the safe, or that bunch which had the key of the safe—pointing out the key of the safe to him—and told him to bring it down and put it in the safe; and that Stivey came down, and he a moment later followed him, and that he came into this office. Stivey was still at the safe, and, addressing Sir Arthur, said: "Sir Arthur, you must not have locked the safe." He said that he went round to the safe and tried the lever; he drew the bolt and opened the safe himself; that Stivey explained to him the reason for the observation, that he found that he had left the safe unlocked, was—that he could not get the key into the proper slot to open it, but that he was able to get it into the other slot, which showed that the safe was open.

1873. Did you then see the case from which the jewels were taken?—The case was shown to me then, in fact all the cases were taken out of the safe and shown to me, including the case in which the jewels were contained.

1874. Did you observe whether there was anything left in the red morocco case which had contained the jewels?—There was a ribbon, and Sir Arthur Vivers explained to me that it had been attached to a badge.

1875. How did he tell you it had been attached?—By a clasp fastened on with two small screws and ran on to a hook on the badge. Then he explained that it was a matter of difficulty to detach the jewel from the ribbon, as the two small screws were very fine, and difficult to manipulate, and it took some time to take them away, and the ribbon would then require some coaxing to get it off the hook.

1876. Did he tell you whether or not, in the condition in which he last saw the jewels in the case, that ribbon was attached to the jewel?—I understood him to convey that it was attached to the jewel at that time.

1877. So that whoever removed the jewel must have unfastened this clasp and removed it from the jewel? That is what he stated.

1878. And that was an operation requiring some care and time?—Some time, and that it was difficult.

1869. Did he say whether or not he had on any previous occasion given that key to anybody?—He said that was the first time he had ever given the key of that safe to anyone, and in reply to my question he said that there were two keys for the safe, one of which he had inserted at home in his safe-keeper, that no one knew anything about, and the other he had on his ring then, and that no one else ever had those keys; he always kept them in his own custody.

1870. Did he say anything to you about being careful when locking the safe whenever he opened it?—In the course of conversation he described what his practice was when he came in at night or whenever he had occasion to take the jewels out of the safe. He said that on such occasions of locking the safe, after removing the key he invariably tried the lever outside it to see that it was locked.

1871. That allusion to coming at night would have reference to the fact that during the Castle season it might be necessary for Sir Arthur Vivers to bring back the jewels late at night?—That is so. I believe that is why he made the observation.

1872. That is on occasions when the Lord Lieutenant might wear these jewels?—At State Balls I believe they were worn.

1873. Sir Arthur Vivers would bring them back?—He would take them up from His Excellency and deposit them in the safe.

1874. Did he say anything to you on that occasion about the Board of Works?—Yes, he said, "The Board of Works are to be blamed for all that. Some time ago I applied for a safe which would go inside the strong room. This safe is too large to go through the door. Had it been inside, this thing could not have happened. The application was refused." A little later, in the same connection, he spoke of that safe. The same Butcher was on the front of it, and he said he did not know what degree of confidence to place in that manufacturer. He did not know much about it but that it was supplied by the Board of Works, who generally did not supply the best material. Had it been a Milner or a Gibbs he would have had confidence in it. He said the lock of the strong-room door was a Milner's lock, and that he had implicit confidence in it.

1875. Now, when he made that reference to the strong room door and the lock on it, did you put him any questions?—I asked him then whether the strong room door showed any signs of having been tampered with.

1876. What answer did he make?—He said "No."

1877. Are you distinct about that?—Quite distinct and clear.

1878. Is there any possibility of yours being mistaken in your recollection about that?—None whatever.

1879. And was it on that Saturday afternoon he said that to you?—Yes; my interview on the Saturday afternoon lasted over two and a half hours, with the exception of, perhaps, fifteen minutes or so that I was called out, and that was one of the things that were stated in that interview on that afternoon.

1880. Chairman.—Can you remember whether Stivey was present when that was said?—Yes; I believe Stivey was present at most of the interview that was going on. A long desk was then in the room, and I was on the other side, near the safe with Sir Arthur Vivers, and, I believe Stivey was standing in one corner. That is my recollection.

1881. Stivey did not say anything?—He did not say anything at all.

1882. Mr. STAKER.—Was Stivey present at that particular part of conversation about the strong room?—My belief and recollection is that he was.

1883. The Solicitor-General.—Did you on that Saturday at all hear anything about the strong room door having been found open on that morning?—No. The first time I heard that the strong room door had been found open on the morning of the 6th was on Sunday evening, when inquiries had been made from the office cleaner who was the first to make a statement with regard to its having been found open.

1884. Now, did you on that occasion make an examination of the safe itself to see if it bore traces of having been tampered with?—I did.

1885. And did it bear any such traces?—No signs of having been tampered with that I could discover.

1886. Did you see the outer door?—Yes; I examined the outer door and the building generally.

G

DUNLOP,
JULY 14, 1903.

1907. On the Saturday I—Well, I didn't examine the building that day, it had got too late to do so, but I examined it fully on Sunday.

1908. Did you examine the outer door on the Saturday I—did.

1909. And was there any sign of violence?—Not the slightest sign of violence having been used to any door in the building was seen.

1910. On Sunday you made some more examination?—A more extensive examination to discover if any violence had been used.

1911. And you observed none?—I found nothing to indicate violence at all.

1912. Do you live here in Exchange Court?—I live in Palace-street, which is outside the lower gate.

1913. Was there any report made to you, or in your office, as far as you know, of the outer door having been found open on the morning of the 2nd July?—No, there was no report made to the police anywhere. If such report had been made it should have come to me.

1914. And of course the police did not hear anything about the strong room door having been found open on the Saturday?—They never got any communication of the fact till it was discovered by inquiries on the 3rd July.

1915. Now, did Sir Arthur Vivers make any suggestion to you as to whether it was a fabricated key that must have been used?—He made several references. First he said that the thing must have been done by thieves over from London for the King's visit, which was then approaching. He subsequently said: "Someone must have obtained an impression of my keys."

1916. Now, I want to ask you about the keys. Do you know of any police officer at all, except Detective Kerr, possessing a key of the outer door?—No other police officer of any rank has a key for any door of the building except that Kerr has a key for the outer door.

1917. Is that quite certain?—That is quite certain.

1918. We are anxious to know, and can you tell us as a fact anything about—shall I use the word—the movements of Sir Arthur Vivers on that afternoon, or on the night of Friday, 5th July. Do you know anything about it as a fact?—I can give you nothing very definite. The result of the inquiries that we made on that point left me with the belief on my mind that he visited the Kildare-street Club, and afterwards went home, probably within an hour from the time that he had left here, but we have nothing definite to fix it, and could not find anything definite.

1919. But did you make inquiries?—I made some inquiries. I made all the inquiries that were possible, but the inquiries were made perhaps a day or two after, and people as a rule forget things, and are unable to give definite information. He had been in the habit of visiting the Club, consequently no notice was taken of his visit on any particular occasion, but that was what I learned, that it was believed that he had visited the Club.

1920. CHAIRMAN.—Does the hall-porter of the club not take a note of the visits of the members?—I didn't find that any note had been taken.

1921. Mr. SCRATCH.—Did you ask?—I did not ask for any entry.

1922. Mr. JONES.—They keep a note of the time at which members come in most clubs.

1923. The Solicitor-General.—That is the impression left on your mind?—That is the impression left on my mind. I do not say that I have a knowledge of the thing at all, but it is the impression left on my mind.

1924. Mr. JONES.—Did he get home to dinner that night?—I understand he did.

1925. What time?—He was to dine at 8 o'clock.

1926. How long would it take him to get from here to Kildare Street Club and then home?—It would depend whether he drove to the club and then walked.

He could get to the Kildare Street Club probably in seven or eight minutes, and if he drove home he could drive probably in ten from there.

1927. CHAIRMAN.—Did you make any inquiry of the servants at Sir Arthur Vivers' house?—The statements have been taken, and the servant who took them can be produced.

The Solicitor-General.—We can produce them.

CHALMERS.—I should like to have them.

The Solicitor-General.—They are here, and they can be produced to the Commission of the Commons during its session.

CHAIRMAN.—Have Sir Arthur Vivers' servants been examined as witnesses?

The Solicitor-General.—I understand not. Having regard to Sir Arthur Vivers' own attitude in the matter it would not be quite fair, possibly, to people in that position.

CHAIRMAN.—Very well.

1928. The Solicitor-General (*to witness*).—Could you tell us, as the result of your inquiries, whether the constables on duty can remember at all his having left the Castle that day?—I can find no trace of Sir Arthur Vivers leaving the Castle that day. I think I interviewed every man who had been on duty about the place, and none of them could tell me that he had seen Sir Arthur Vivers leaving that evening.

1929. They didn't know the fact?—They didn't collect.

1930. He was in the habit of going every evening?—Quite so; he came and went almost daily.

1931. And they were able to throw no light on the master?—No light at all.

1932. Now, did you get possession of a key of the strong room from Sir Arthur Vivers?—Yes. I got a key of the safe and a key of the strong room. They came from Sir Arthur Vivers. I got a key of the outer door from Kerr, the detective officer.

1933. Whence did you send to Sir Arthur Vivers for the keys?—Sergeant Fagan; and it was Detective Officer Kerr, whom he met here at the door, who got it from Sir Arthur Vivers and handed it to Fagan, and Fagan brought it to me. That, I think, was on the 9th July. I am not sure whether it was on the afternoon of the 8th or on the morning of the 9th.

1934. And you got it from Sir Arthur Vivers?—Yes.

1935. He gave you the key of the safe?—Yes; it was the key he had been carrying about. Subsequently, probably some days later, one morning he spoke to me outside here at the door and asked me to exchange keys with him and give him the key which he had been carrying and he gave me the key which he had, and which he had kept at home before that; and that is the key which I have at present.

1936. Mr. JONES.—Did he give any reason for that?—Well, the only reason I understood was that it was in connection with disengagement.

1937. I should like to ask you, Superintendent Lowe, did you assist in the search of these premises after the discovery of the loss of the jewels?—No, sir. Chief Inspector Cummins and Detective Officer Kerr made that search.

1938. Mr. SPARKE.—When did the police first know that the King was coming to Dublin?—I should say that it was during the week preceding the visit, that is, the week ending 6th July.

1939. I believe the announcement was made only a day or two before that date that His Majesty was to come to Dublin?—It is my recollection that an announcement was made some two or three days prior to the 6th July.

Mr. HARREL.—I may say that the possibility of the visit and the approximate date were known a considerable time before. I have reason to recollect that, however, as it had leaked out owing to His Majesty having offered a cup to the stewards of Leopardstown Races. The fact was not supposed to be made public, but it got into the Press, and that was the first intimation that was received of the approaching visit. It was in the Press at the beginning of June, and I believe before June 11th.

The Solicitor-General.—The Chairman made a very important intimation this morning to the effect that having regard to the matters that up to date had transpired in the course of the inquiry, the Commission thought that a communication should be addressed to Sir Arthur Vinars requesting him to appear before the Commission in order that he might make a statement or give evidence touching the matters which, in the judgment of the Commission, affect him. The importance of that intimation, having regard to the attitude taken up by Sir Arthur Vinars in regard to this inquiry, is obvious. I understand that a communication has been already made, or will be at once made, to Sir Arthur Vinars' solicitors to that effect.

Chairman.—It has been made.

The Solicitor-General.—I am not in a position to anticipate what the possible reply may be to that. It may be that Sir Arthur Vinars and his advisers will still think that the fact that the inquiry is not public, in the sense that the Press are not admitted, would be an objection to their acceding to the request of the Commission that Sir Arthur Vinars should attend and give evidence. I understand the view of the Commission to be that it is right and desirable that he should be given an opportunity of attending and giving such explanation as he can in reference to those matters. I dealt on the part of the Government to intamate to the Commission the Government's view that not merely will they offer no objection, but that they are absolutely desirous that Sir Arthur Vinars should know that if he comes forward in reply to that requisition of the Commission to give evidence relating to the matters affecting him, the Government would not merely offer no objection, but they are desirous and anxious that his evidence, if as so desired, should be given under circumstances of the widest possible publicity. If it is his view that it is in his interest that the Press should be present on such occasions, and on the occasion of the examination of the further witnesses whom he might present to the Commission, the Government are perfectly prepared to acquiesce in that view, and I suggest that an intimation to that effect should be given to Sir Arthur Vinars. If the Commission should think well to adopt that course, I would suggest that the further proceedings should be reserved, possibly till the arrival of an answer from Sir Arthur Vinars or from his advisers to the requisition or communication which will be addressed to him and to them from the Commission. I do not know whether that course will be regarded as a good one by the Commission.

Chairman.—I may say, Mr. Solicitor, that we are all of opinion that it is a very proper step on the part of the Government to suggest that Sir Arthur Vinars' evidence might, if he so chooses, be given in public, and that the inquiry should henceforth proceed in public, if he thinks that it would be in his own interest. In reference to that I may say that my attention was called for the first time when I saw the print of the first day's proceedings in full this morning to the following passage: "Chairman.—Are you applying now for a public inquiry, or are you not?" Mr. Campbell.—I am not applying to you for a public

inquiry, for I know you have no power to grant it." DRAFT
JUN. 14, 1924.
If I had heard that observation made—for though it is on the shorthand writer's notes, it actually escaped my notice—I would have at once called attention to it. I would have interrupted Mr. Campbell at once, for we have full power under our Commission to hold our inquiry in public or private at our discretion, and I never would have encouraged Mr. Campbell in his application for a public inquiry if I had been of opinion, or if any of us had been of opinion, that we had no power to grant it. We were perfectly prepared to hear an application for a public inquiry and to consider it and determine it on its merits.

The Solicitor-General.—So I certainly understood.

Chairman.—It was only when Mr. Campbell objected, not merely to the inquiry being private, but to the terms of reference and to the powers of the Commission—which would remain the same whether the inquiry was public or private—it was only then I stated that there was no use in asking for a public inquiry if his objections were in the root of an inquiry at all names our Commission. It is only because his statement that we had no power to grant a public inquiry appears uncontradicted on the majority of evidence that I make this observation, and I think it is perfectly proper to add that as far as the evidence goes I do not see that there was anything in the evidence, with perhaps one or two slight exceptions which could have been easily excluded, which might not have been fairly made public from the beginning.

The Solicitor-General.—Having regard to your intimation that you will again give an opportunity to Sir Arthur Vinars to appear, I may repeat that the Government will offer no objection to either his statement or the statements of his witnesses being made in public to the Commission, and, in fact, they desire that the fullest publicity should be given.

Chairman.—We entirely agree in that, and we shall ask our Secretary to intamate to Messrs. Mowbray that if Sir Arthur Vinars desires to give his evidence in public, I mean in the presence of the Press, the Commission will have no objection.

The Solicitor-General.—And, of course, the meaning of that is that the further course of the inquiry should be in public!—

Chairman.—If we begin with a public inquiry we must go on with it. In the meantime, are there any other witnesses that you think we might take in the afternoon, awaiting the answer of Sir Arthur Vinars?

The Solicitor-General.—Having regard to this new development, I think the most convenient course would be to await the answer of Sir Arthur Vinars and his advisers to the communication which you are due about to make.

Chairman.—And adjourn the Court till to-morrow morning!

The Solicitor-General.—Till to-morrow morning.
Chairman.—Then, Mr. Solicitor, we will adopt that suggestion, and adjourn till half-past ten to-morrow morning.

* See page 8.

(The Committee then adjourned.)

FIFTH DAY.

WEDNESDAY, JANUARY 15TH, 1908

The Commission sat at 10.30 a.m.

DEBATES.
Jan. 15, 1908.

Chairman.—Having heard much evidence which seems to us, in the absence of explanation or answer, to affect seriously Sir Arthur Vicars in his conduct as custodian of the last jewels we thought it right to give him another opportunity of giving evidence before us. We offered to hear his evidence in the presence of his own counsel, and either in public or in private as he himself should choose. Sir Arthur Vicars has definitely declined to take advantage of the opportunity which is offered him,* and we must, therefore, conclude this inquiry without hearing his own statement of the facts or his explanation of the facts depend so largely upon other witnesses. We wish to correct a misapprehension. The offer to take Sir Arthur Vicars' evidence in public was made before the receipt of the first letter from his solicitors in which he refused to appear before us. And now, Mr. Solicitor, have you any other witness?

The Solicitor-General.—Not many more, sir.

Chairman.—There are one or two points upon which I myself wish to get some further information. The first point I wish to direct your attention to, and on which I think we ought to have some evidence, is as to the rule which you hinted at against Sir Arthur Vicars showing the jewels to anybody. I have not up to the present heard whether there is such a rule.

Mr. Thomas J. SMITH examined by the Solicitor-General.

2333. Mr. Smyth, you are a jeweller, carrying on business at 7, Wicklow-street?—Yes.

2334. Were you in this Office of Arms about the 1st of March last year, 1907?—Yes; I was.

2335. I understand your business was to bring an estimate for a cup that was to be presented to H.M.S. *Hibernia*?—That is right.

2336. And Sir Arthur Vicars was the person you came to?—Yes.

2337. With the estimate?—Yes, exactly.

2338. Did you show Sir Arthur Vicars the estimate?—I did.

2339. Where did you show him the estimate?—Here.

2340. Is this library where we are now?—Yes.

2341. Will you kindly tell the Commission what Sir Arthur Vicars said to you?—Well, first of all, he said that there was not enough silver in the cup, and that I should agree to put at least twenty more ounces into it, and then I am under the impression we got into a friendly conversation. I believe he asked me did I ever see the jewels that were worn by the Lord Lieutenant; and I said no. Then he said he would show them to me; so he brought me, I think it was, of that way, and he showed me the regalia and banners, and things of that class. It was off that way (pointing).

2342. **Chairman.**—Was that in the strong room?—Yes, in the strong room, not in this room at all; and he remarked that this jewel is part of the Lord Lieutenant's clothing, and once he puts it on his (Sir A. Vicars) eyes never leave it till he takes it off again himself.

2343. That jewel was not in the strong room?—There is a glass case there, that is where it must have been taken from; not in this room certainly.

2344. The Lord Lieutenant's jewel, you say, was in a glass case in the strong room?—Yes, sir.

2345. **The Solicitor-General.**—Was it only one jewel, or did he show you more than one jewel of the Lord Lieutenant?—I think he merely showed me the star. I think it was a star.

2346. Have you any recollection of what the shape of it was?—I think it was like a star, a big star. (Pictorial representation shows it is a star on the hill offering sacrifice.) I believe that is what I saw first of all. That is the star there, and I believe I saw that collar or chain.

The Solicitor-General.—So far as I know, sir, there is no positive rule; the only rules dealing with the matter that I know of are the very strict ones themselves.

Chairman.—And is there any particular statute dealing with the matter?

The Solicitor-General.—There is no particular statute that I know of that authorises him to show the jewels.

Chairman.—But is there anything against his showing them?

The Solicitor-General.—No actual prohibition.

Chairman.—Then another matter on which we ought to have some evidence is as to the allegation which was made by Sir Arthur Vicars on several occasions that the circumstance that the safe was in this room and not in the strong room was not his fault, but the fault of the Board of Works.

The Solicitor-General.—I will deal with that presently.

Chairman.—Of course that is a very important matter.

The Solicitor-General.—I should mention that we have been informed that Mr. Shackleton, whose name has been mentioned, is on his way here. We have just heard from San Ross that he will be here tomorrow morning for examination before the Commission.

Chairman.—I saw the telegram.

2345. Is your recollection pretty clear that you saw the star?—I believe so.

2346. Take the star first of all; can you remember whether you saw a jewel of that shape or not?—Well, I believe I did.

2347. What was it made of?—Silver, I think it was. I think it was white, diamonds and silver.

2348. Were there diamonds in it?—I think so, Yes.

2349. Did Sir Arthur Vicars make any statement to you as to its value?—I think he said it was worth about £30,000, or something like that, and I said it was an enormous amount of money.

2350. Where did you see that ornaments which, in your belief, he said was worth about £30,000?—Well, it was that way—(pointing to the passage). It was set in this room. They showed me into the place this morning, and I was in a fog. I did not recognise this side of the safe. What I looked at was a glass case.

2351. **Chairman.**—Can you show us in the strong room where these things were taken out of?—Yes, I can, if you bring me to the place. I have not seen it this morning. (Pictorial proceeds with the Commissioner to the strong room, and an returning examination was resumed.)

2352. **The Solicitor-General.**—What date was it you say were here?—From what is entered in my books, I received the order for the silver-chased cup for H.M.S. *Hibernia* presentation on December 5, 1906, and finished January 15, 1907. It was between December and January.

2353. I want to know when you were here, you have told me it was in March?

2354. **Chairman.**—What date was it that you were shown the jewel?—Well, it will be between the two dates. The order was given on December 5.

2355. And what was the estimate for the cup brought here?—It must have been before December 5. A couple of weeks before that, or thereabouts.

2356. When you brought the estimate?—Because I received the order on December 5, 1906.

2357. **Mr. Stamp.**—You said it was in March?—The article was finished on January 15, 1907, so that it must have been before December 5.

2358. **Chairman.**—Then it was not in March, 1907, you were here?

* The correspondence is set out in the Appendix B, pp. 22-3.

2049. The Solicitor-General.—Mr. Smyth, just reflect for one moment, as I understand you told the Commission a moment ago that it was in March, 1907, that you saw the jewels?—It must have been previous to that.

2050. Previous to what?—It must have been previous to December 5, because I was only bringing the estimate here.

2051. CHAIRMAN.—Then it was previous to December 5, 1905?—I believe it was.

The Solicitor-General.—This gentleman's memory seems to be somewhat confused about the matter. In this connection I would call your attention to the statement of the gentleman in charge of the Office of Arms that the jewels were in the strong room in January, 1907, the grille being locked during the time that West's men were cleaning them. "They were cleaned by two men from West's, and were carefully examined by me, and I took possession of them from the men." I don't find in Sir Arthur Vicars' statement any suggestion that they replaced them in the safe. Anyhow I draw your attention to that statement in connection with this gentleman's evidence.

Mr. W. V. HARREL, Assistant Commissioner, Dublin Metropolitan Police, further examined.

2052. The Solicitor-General.—The Commissioners were anxious to know the date on which it was known in Dublin that His Majesty was to visit Ireland in 1907?—The Dublin Daily Express, of Thursday, June 5, contains the following:—

"Royal Visit—Date of Arrival of the King and Queen—Official Statement—Special Racing Pictures at Leopardstown—Arrangements for His Majesty's Visit.—We have received a communication from the Viceregal Lodge officially authorising the announcement that His Majesty the King, accompanied by Queen Alexandra, will make a private visit to Ire-

land on July 15, arriving at Kingstown on the Royal yacht early on the morning of that day. Further arrangements will be announced in due course."

2053. CHAIRMAN.—Was that the first public announcement?—So far as I can find, it was.

2054. The Solicitor-General.—You remember that Mr. Burdett-Coutts said that there was a letter in the office which would possibly fix the date, and perhaps it would be well if Mr. Burdett-Coutts was asked to produce it?

2055. CHAIRMAN.—Very well.

Chief Inspector RICHARD CUMMING examined by The Solicitor-General.

2056. Inspector Cumming, you remember, of course, Saturday the day of the discovery?—Yes, sir.

2057. Do you remember about five o'clock that evening being directed by Superintendent Lowe to make a search in the Office?—No, sir, it was on the 8th I was directed.

2058. Yes, Monday, 8th July?—Yes.

2059. On Monday, 8th July, about 5 o'clock, were you directed by Superintendent Lowe to make a search in the Office?—I was, sir.

2060. Who accompanied you in making that search?—Detective-Officer Kerr, and I called on Sir Arthur Vicars about that hour and told him what we proposed doing, and he said that it was a rather inconvenient hour, as he had to make a call at the Viceregal Lodge.

2061. What hour was this?—About 5 o'clock. It was then arranged that we should meet him at about 10.30 on the following morning, Tuesday, 10th July. We called at that hour.

2062. Was Sir Arthur Vicars here?—He was not.

2063. When did he arrive here?—About half-past twelve.

2064. Did you after his arrival make a search of the premises?—Yes, sir.

2065. Did he accompany you while making the search?—He did.

2066. Will you kindly inform the Commissioners what you did, without going into details?—We commenced in the basement. In the coal cellar there was some coal, and we turned it over completely, and we turned over every lumber board and box that was in the basement; and every nook and cranny that we could possibly look at were searched, and we did the same in this room and all the rooms to the very top.

2067. In other words, did you search the whole premises practically from top to bottom?—Yes, sir.

2068. Did you search all the presses?—Yes, sir.

2069. And did Sir Arthur Vicars himself go over the papers with you?—Yes, sir.

2070. And in the result nothing was found?—No, sir.

2071. In the course of this search did you observe in any part of the premises any indication of a

CHAIRMAN.—I do not think that the shorthand writer has got down something that we ought to have on the notes.

2072. (To Wilson.)—You say it was not in this room the jewels?—Yes; I am quite positive of that.

2073. You saw the strong room door open this morning?—Yes. I remember the glass case in which there were hats and lots of regalia.

2074. And while you were here the safe of this room was not open at all?—No, sir; I never saw that safe.

2075. It was not opened in your presence?—No.

2076. And if the jewels were shown to you it was not out of that safe they were taken?—I am quite positive about that.

2077. MR. STANLEY.—You say you saw the three badges there?—Yes, those badges.

2078. Where did you see the others?—In the same place.

2079. All in the same place?—I believe I did.

DUBLIN
JUN. 12, 1908.

2080. Inspector Cumming, you remember, of course, Saturday the day of the discovery?—Yes, sir.

2081. Do you remember searching this particular office where we are?—I do.

2082. Do you remember Sir Arthur Vicars making any observation with regard to any press?—He did, sir, when we arrived at that press (pointing).

2083. CHAIRMAN.—That press marked "B 8"?—Yes, sir, Sir Arthur Vicars remarked, this is the last press I tried on Friday evening before leaving.

2084. MR. JONES.—From something that was dropped some little time back, I want to ask you this—were none of those receptacles you searched locked?—No, sir.

2085. None of them locked?—Except that the strong room was locked.

2086. Were any of those presses locked?—No, sir.

2087. None at all?—They were closed as they are at present.

2088. CHAIRMAN.—But they cannot be opened without a key?—Well, some of them were open, or half open.

2089. Were not any of them closed?—No, sir, most of them were half open.

2090. CHAIRMAN.—This one Sir Arthur Vicars speaks of as the last that he had tried on the previous Friday evening, was that locked?—It was half closed.

2091. MR. STANLEY.—Could the presses have been open in preparation for your search?—I could not say, sir.

2092. MR. JONES.—I understood from something that was asked some time back that there were some places that were locked, and that Sir Arthur Vicars himself searched these places, but you didn't search them?—Sir Arthur Vicars pulled out every book and turned over everything there, in our presence.

2093. The Solicitor-General.—The search was during office hours, was it not?—Yes, sir.

2094. CHAIRMAN.—It commenced at 10.30?—Yes, sir.

2095. The Solicitor-General.—I may remind you that the evidence already given shows that during office hours those presses were open.

2096. CHAIRMAN.—Mr. Burdett-Coutts, for instance, might want to open one of these presses and he would go

DUBLIN.
JULY 15, 1908.

to the grille and take out the keys and use the small key to open the presses and then leave them open.

Mr. JONES.—My recollection is that somebody said that during the search when any receptacle was locked Sir Arthur Vicars unlocked it and searched it himself, but it may have been a loose way of speaking.

Detective-Sergeant PATRICK MCGRATH examined by the Solicitor-General.

2093. You were informed about six o'clock on Saturday day that the State jewels had been stolen from the office?—Yes, sir.

2094. And did you at once come to this office?—I did, sir.

2095. When did you arrive here?—About six o'clock or a few minutes after.

2096. And you saw, I suppose, Sir Arthur Vicars, did you?—Yes, sir.

2097. You were with Superintendent Lovell?—Yes, sir, and Sergeant Sheahan.

2098. And did Sir Arthur Vicars on that occasion show you the safe from which the jewels had been snatched?—He did, sir.

2099. What statement did he make to you as to when he left the office on the preceding evening?—He said to me that he left the office about ten minutes past seven, that he had let Stivey, the messenger, away some time before that, and that he came down stairs in company with Mr. Hocklock, and that he remarked to Hocklock, "I will go my usual rounds of inspection."

2100. Chairman.—That Sir Arthur Vicars would?—Sir Arthur Vicars himself; he stated that he passed through this library here, closing all the presses that were not closed, and went to the strong room and tried the handle to see that it was locked, and found it all right.

2101. The Solicitor-General.—Did he give you particulars of the various articles of jewellery that had been taken?—He did, sir; he enumerated the various articles of jewellery that had been taken.

2102. Did he also tell you about the incident of Stivey coming down with Lord De Ros' collar?—Yes, sir.

2103. Did he express to you any opinion at that time as to how the robbery had taken place?—He did, sir; in the course of conversation with me he stated that he believed that it had been done by what he called "snak London burglars."

2104. Did he add anything to that?—He did not add anything more.

2105. On that occasion when you were here did he say anything at all about the strong room door having been found open that morning?—No, sir.

2106. Or did you hear from anyone at all in the office that it had been open?—Not at that time.

2107. Might I ask did you see Stivey at all?—Stivey was attending or present during the conversation with Sir Arthur Vicars regarding the jewels.

2108. But neither he nor Stivey said anything about it?—No, sir.

2109. Did you afterwards ask Stivey why he did not mention the matter to you?—I asked Stivey on the following Monday or Tuesday morning why it was that he did not make it known to us here on the Saturday that the strong room door was found open. I mentioned to him that I had been with him on the Saturday, and that he had not told us about it. He said that as he had told Sir Arthur Vicars, and as Sir Arthur Vicars was present, he thought his duty was done when he had informed Sir Arthur Vicars about the matter.

2110. When first, if at all, did you make an examination, you yourself, of the strong room?—I made an examination of the strong room on the morning of the 26th July.

2111. That is ten days after the discovery?—Ten days after the discovery.

2112. Who was present?—Stivey.

2113. On that occasion did Stivey make any statement to you about the keys of the strong room?—He did.

2114. What did he say?—He said there was only one key of the strong room kept concealed in a drawer in the press in the strong room, and that he thought or supposed that there was another kept in the key box that was upstairs in Sir Arthur Vicars' office.

2115. Mr. STANKEE.—Are there any drains on the premises on which anything could be concealed?—No, sir, not that I could see.

2116. CHAIRMEN.—You are quite satisfied that the missing jewels and other things were not in this office?—Quite satisfied, sir.

2117. Did he tell you then who else had keys of the strong room?—Yes, sir.

2118. Who did he say had them?—He said Sir Arthur Vicars had a key, he himself had a key, Mr. Mahony had a key which he had given up, and Mr. Barthecall formerly had a key which he gave up about twelve months previous to that.

2119. Did he tell you at all in that statement when Mr. Mahony had given up the key?—He did not, sir, but it was common property about the office. Mr. Mahony repeated it several times saying that he gave up the key after the jewels had been stolen.

2120. Now, did you on the 26th July see Sir Arthur Vicars about the keys of the strong room?—Yes, I saw him on the 18th or 19th of July.

2121. And did he tell you then that he had a key of the strong room?—He did, sir.

2122. What did he tell you?—He told me that he had a key, that Stivey had a key, that Mr. Mahony had a key which he had given up, that Mr. Barthecall had a key which he gave up about twelve months previous to that, and that these were the only four keys for the strong room.

2123. Now, did you examine the press in the strong room?—Yes, sir.

2124. On that occasion when you were speaking to Sir Arthur Vicars did he tell you, so far as your memory serves, when it was that Mr. Mahony gave up his key of the strong room?—Not exactly at the time, but it was said after the robbery.

2125. Did Sir Arthur Vicars tell you that?—Yes, sir.

2126. Now, do you remember examining the presses in the strong room?—I do, sir.

2127. Chairman.—What day was that?—16th July.

2128. The Solicitor-General.—Did you examine the glass case?—Yes, it was the glass case I went there to examine.

2129. Mr. STANKEE.—But that is the press?—Yes, sir.

2130. CHAIRMEN.—The press and the glass case are the same?—The press is the glass case where there is the Sword of State.

2131. The Solicitor-General.—Did you, previous to your examination of the glass case, hear Sir Arthur Vicars make any statement about the glass?—I did, sir.

2132. What did he say?—He said that the burglar who took the jewels out of the safe in the library were afraid to take the jewels out of the glass case in the strong room, because the glass was so thick and strong that the crash would be so loud that it would be heard outside, and they would likely get caught.

2133. What was the date on which he made that statement about burglars?—It would be probably about the 12th or 13th of July.

2134. Did you examine the glass?—Yes, sir. Stivey opened the glass case, and I took a penny out of my pocket and put it inside of the glass and got my fingers outside in order to test the thickness of the glass.

2135. What was the thickness of the glass?—Quite thin.

2136. It did not appear to you to be strong?—It did not appear to be nearly so strong as what Sir Arthur Vicars represented. I expected to find it thick plate glass.

2137. Was it like ordinary window glass?—Very little thicker, if anything.

2138. Now, you knew the premises that are in the vicinity of the strong room?—Yes, sir, the messenger's room immediately at the back of the door when you get into the strong room. The glass case is at the back of the door.

(Witness proceeds with the Commissioners and the Solicitor-General to inspect the place. On returning, the examination was resumed.)

2140. The Solicitor-General.—I must ask you some questions to get the facts on the notes. The glass case you speak of within the strong room is placed up against the partition wall dividing it from the messenger's room, is not that so?—Yes, sir.

2141. And near the door as you enter?—Near the door as you turn inside.

2142. Is there a window in the strong room looking out into an area?—There is, sir.

2143. How is that window secured at night?—It is secured at night by a sheet-iron shutter on the inside.

2144. Are there bars upon the strong room window?—The sheet-iron shutter is pulled across.

2145. But are there bars outside the strong room window?—I do not know that.

2146. You have told us that the strong room looks out into the area?—Yes, sir.

2147. And there are premises then abutting on the area?—Yes, sir, the premises are used as a veterinary department and other departments belonging to the Castle.

2148. But does anybody occupy them as a residence?—No, sir.

2149. Or does anyone sleep in them at night?—No, sir.

2150. Did you on one occasion go with Sir Arthur Viseas to a place called Muhabdast?—I did, sir, and Clonilla.

2151. What was the date of that?—On the 15th July.

2152. Who was with you on that occasion?—Sir Arthur Viseas and Mr. Mahony, of this office.

2153. Was there anyone else?—That is all, sir, except the carman who drove us.

2154. Did Sir Arthur Viseas tell you what you were going there for?—Yes; to search for the jewels in consequence of a statement that had been made to him by a clairvoyant at his residence in Saint James's Terrace on the previous Sunday.

2155. Can you fix the date when you went there?—I went on Monday, the 16th.

2156. And he said that on Sunday, the 14th, the clairvoyant had made a statement to him?—Yes, sir; at his residence.

2157. Did you go to the churchyard?—We did, sir; we searched Clonilla and Muhabdast churchyards.

2158. Two churchyards!—Two churchyards. The clairvoyant had said that the jewels were concealed near a tombstone not far from the entrance of an old, disused churchyard in the direction of Clonilla.

2159. Now did you come to go with him?—Sir Arthur Viseas made some communication to the police, and I was directed to wait on Sir Arthur Viseas here, and to act under his instruction or at his suggestion.

2160. When you came here what did Sir Arthur Viseas say to you?—Sir Arthur Viseas asked me to accompany him to Clonilla and Muhabdast, and I did, sir.

2161. Did you see him searching in those cemetery?—Yes, we all three made a very diligent search to see if there was any fresh earth or anything like that, and found nothing.

2162. The clairvoyant did not go with you?—No.

Domes.
Jas. M. 1904.

Detective-Officer OWEN KERR recalled.

2163. The Solicitor-General.—Mr. Kerr, you remember Monday, 15th July?—Yes, sir.

2164. Were you speaking to Sir Arthur Viseas on that day about the robbery of the jewels?—I was.

2165. Did he make any statement to you on that day?—We were in conversation at the time.

2166. And what did he say?—He rested his two elbows on the big desk that stood here in this place, and he said, "I would not be a bit surprised that they would be returned to my house by Parcel Post to-morrow morning. His Excellency, this evening, said the same thing." I may remark that it was then between seven and eight o'clock, and I understood that there would be difficulty in sending by Parcel Post. It was between seven and eight o'clock in the evening at that time.

2167. Did he say "returned to his house by Parcel Post to-morrow morning"?—Yes; I took a note of it.

2168. When he said that they would be returned, did that mean the jewels?—That means the jewels.

2169. That is what you had been talking about?—That is what we had been talking about.

2170. And he had just returned from the Viceregal Lodge, where he had been, "and His Excellency said the same this evening," he said?—Yes.

To the Chairman.—A statement was made, and as no one's name is mentioned in it I think it is only right, as Sir Arthur Viseas is not present, that the statement should be put in.

2171. (To Mr. Keane.)—On the 20th September were you in Sir Arthur Viseas' office, this office, again?—I was sir.

2172. On the 20th September?—On the 19th or 20th. I find that by an incident that took place on that date.

2173. I do not want the incident, but the fact?—I was here.

2174. Did Sir Arthur Viseas speak to you?—Yes.

2175. What was the first thing he said?—He said to me, "Does Kerr want to see me?" I said, "No, Sir Arthur," and I came out there at the lower entrance door to where he was, near the door leading into the basement, and he said, "If that door had been locked——"

2176. What time of the day was it?—In the afternoon, between three and four.

2177. What did he say?—"If that door"—pointing to it—"had been locked it would never have opened."

2178. CHAIRMAN.—That is the door leading to the basement?—Yes, sir. Sir Arthur Viseas proceeded to

say, addressing me, "They were taken by a man whom you know well. He was a guest in my house, and he treacherously took impressions of my keys when I was in my bath. He often came to this office for his letters on Sunday, and he used my laundry to get in. He is in Paris at this moment, and base is a cipher telegram"—(displaying a stamp)—"that I am after recovering about him."

2179. Well!—We had other conversation.

2180. Did he say anything as to whether the jewels were disposed of, or would be disposed of?—He said, "They are now a white elephant on his hands, and they will be returned."

2181. Mr. Keane.—Do you know to whom he referred?—To my mind it only referred to one individual. No one would fit into that description but one.

2182. Who was that?—It would only fit into and answer the description of Mr. Shackleton, because any persons that had a right to go into the place on a Sunday for letters were on the premises at the time, and he was the only gentleman who was absent.

2183. Did he indicate to you when he thought it was done?—He said it was done the Sunday after the King's visit.

2184. Just think. When did Sir Arthur Viseas say it was done?—I mean the Sunday after the King's birthday.

2185. What was the date of the King's birthday?—Friday, 12th June, according to my recollection.

2186. CHAIRMAN.—Sunday would be the 20th June?

—There was no date mentioned.

2187. But he said to you that it was the Sunday after the King's birthday?—He spoke it in a speculative or guessing tone.

2188. Did he explain to you why the robbery could not have been done if the door to the basement had been locked?—He did not.

2189. Did you understand what he meant by that?—Well, I took note of his words, and I passed some remarks about it.

2190. You mean you spoke to him about it?—Yes, the conversation lasting altogether about half-an-hour, I suppose.

2191. Yes!—I understood him to suggest that someone would have got in and been concealed in the cellar, and I said would it not be an absurd thing to think that anyone could come in here during the day and a messenger continually, on duty, even supposing that he could expect to escape.

DUBLIN,
JULY 15, 1908.

2202. Did it not strike you that the allusion to the door being locked leading to the basement was quite inconsistent with his saying that the man, whatever it was, had got an impression of his keys, and that he had got a latchkey from him on Sunday to get his letters?—As regards the latchkey, I understood it to mean that he was in many times on Sundays.

2203. Yes, but he said it was done according to his calculation on the Sunday after the King's birthday?—Yes, sir.

2204. And this man, whoever he was, had got his latchkey?—Yes, sir.

2205. And could come in here, and that he had got impressions of the keys of his safe?—But there was a little further conversation.

2206. Did you form any theory of your own as to what connection that had with the door to the basement being locked?—I did, sir.

2207. What was it?—From the remark that I then passed, "Can't it be definitely fixed whether that gentleman was in Ireland on that Sunday?" He said, "He could be in Ireland, he could be in Dublin, and nothing known about it. Could not he have been staying on the North Wall?" As regards letting him in with the key on Sunday it conveyed to my mind that it was not on that particular Sunday that he got in with his latchkey to get his letters, but that he often came to this office on Sunday for his correspondence.

2208. But on this particular occasion he did not get the latchkey?—He did not get the latchkey, and was not known to be in Ireland.

2209. The Solicitor-General.—Did Sir Arthur Vicars tell you that he was not in Ireland so far as he knew on that occasion?—No, sir; but I said could not it be definitely fixed whether that gentleman—without mentioning the name—was in Ireland or in Dublin on the Sunday, and his reply was, "He could have been in Ireland; he could have been in Dublin, staying on the North Wall, without it being known."

2210. Did you ask him why he fixed the Sunday after the King's birthday?—I did not. It was speculating. He spoke in a speculative tone.

2211. Did you ask him how the suggestion of his having come in on that Sunday after the King's birthday explained the strong room being found open or the safe being open?—On that occasion I did not, but I often asked him that question.

2212. CHAIRMAN.—I suppose it was that this man, being in Dublin, had got himself concealed somewhere in the basement?—That is what it conveyed to my mind.

2213. And that he had come up after the offices were closed and takes away the jewels?—Yes.

2214. And that if this door had been locked he could not have got in?—Yes, and I said at the time that it seemed ridiculous that any outsider could come in during office hours when a messenger is continually on duty, because I often came in on messages from time to time during office hours and without ringing the bell, and I never could get inside the door without someone coming to ask me what I wanted. I said if he had no difficulty in getting impressions of his other keys, how much easier would it be for him to have got a latch-key, and that it seemed an unnecessary thing for him to come in in office hours when he would have so little difficulty in coming in after office hours.

2215. The Solicitor-General.—Is there any aperture at all by which a human being could get into this

office unless through a window or the outer door?—There is not; there is an iron grating there that I have seen lifted up during the last week to let down building material, but it is right under the eye of the sentry and the policeman at the gate.

2216. I think it is right to put a question to you, as you stated in reply to one of the Commissioners that, in your mind, in Sir Arthur Vicars' statement one particular gentleman was pointed out?—Yes.

2217. And you have told the Commissioners, I understand, his name, and now it is only just to that gentleman I think to ask you this question. Do you know, as a matter of fact, when that gentleman whom you have indicated was last in Dublin prior to the discovery of the robbery?—I do not, sir, but he made a statement to some of our officers fixing his movements before that. I don't know what steps were taken to corroborate his statement.

2218. When he was in Dublin where used he to stay?—I always understood him to stay in Sir Arthur Vicars' house; that was his address known to me before and since. I have never known him to stay anywhere else.

2219. Mr. STANNETT.—Do you know that he was here in May?—I do not know any particular day or week or month that he was here. His visits to this office were so few that I did not fix any particular time, and if I did see him coming in it would not leave such an impression on me, because I would regard it as legitimate.

2220. CHAIRMAN.—Was there any celebration of the King's birthday that these jewels would be required for?—None that I can imagine they would be required for.

The Solicitor-General (to the Chairman).—That is the only evidence that I can give you on that question now. Mr. Shackleton will be here to-morrow. Mr. Birchall told us that he left Ireland in the early part of June. I thought it was right, having regard to the fact that Sir Arthur Vicars was not here, that the statement should be proved by this witness, and that he should have the full benefit of it.

CHAIRMAN.—Certainly, and I think as far as possible we ought to have other statements made by Sir Arthur Vicars as he is not here to give us his own statement.

The Solicitor-General.—With regard to that, there is one statement that he made to the police. It was marked by him "private and confidential," and on that account I had a certain difficulty in making use of it, but if the Commission would like to see it I can place it before them.

Mr. JONES.—I do not think there can be anything private and confidential in this matter.

CHAIRMAN.—Is there anything of importance in the statement.

The Solicitor-General.—I merely mention it now in consequence of what the Commissioners have said.

CHAIRMAN.—But "private and confidential" is a matter for the persons to whom it was addressed. Do they think it would be improper to use it?

The Solicitor-General.—It bears on the evidence of the last witness but one; it deals with the question of the clairvoyant.

CHAIRMAN.—Oh, I think we may leave out that.

The Solicitor-General.—I merely said it in consequence of your suggestion, and if it threw any light on the matter one way or the other, I certainly would, in the interests of all parties, ask the Commissioners to see it, but I really do not think it does.

Detective-Sergeant MICHAEL SKEENAN examined by the Solicitor-General.

2216. You were informed on the 6th July of the robbery and you came here, I believe?—Yes, sir.

2217. With Sergeant Murphy?—Yes, about six o'clock.

2218. And you saw Sir Arthur Vicars?—Yes, sir.

2219. I do not think it is necessary to take the witness through the whole affair again. Tell me, at that occasion did Sir Arthur Vicars convey to you how he thought the robbery was effected?—He said that it was the work of crack London burglars, who were over for the King's visit.

2220. It was you, I believe, that took from Sir Arthur Vicars the signed statement of the 13th July?—Yes, sir.

2221. That is the one that I have read to the Commissioners?—Yes, sir.

2222. Is it his own handwriting?—No, it is my handwriting, but he signed it.

2223. Mr. JONES.—Did he read it over before signing it?—He did, sir; he read it carefully, and some words were crossed out.

2222. Did he cross them out himself?—I crossed them out at his dictation.

2223. The Solicitor-General.—Was there a supplementary statement?—Yes; he made it on the same day, just after signing the first one.

2224. And are both statements taken before the Commission now?—Yes, sir. (Original statement handed in).

Detective-Sergeant PATRICK MURPHY recalled.

2225. The Solicitor-General.—I just want you to prove that you took a supplemental statement from Sir Arthur Vizard dated 12th July?—Yes, sir.

2226. Just show it to the Commission, please!—(Original statement handed to the Commissioner).

2227. The Solicitor-General.—You are, sir, you have there the supplemental statement as well as the first statement.

2228. CHAIRMAN.—Both are signed by Sir Arthur Vizard, and dated the 12th July?—Yes, sir, both were taken on the 12th July. (The statement appears in Appendix A.)

JUN. 15 1906

Colonel Sir JOHN ROSS of BLAENSHAWE, K.C.B., examined by the Solicitor-General.

2229. (Sir John Ross, you are the Chief Commissioner of the Dublin Metropolitan Police?)—Yes.

2230. And on hearing of the robbery you at once came to this office?—I came here as soon as I could.

2231. What was the time of your arrival?—I think I arrived here about four o'clock on the sixth.

2232. That is the Saturday?—Yes, the day of the discovery.

2233. And whom did you see when you came here?—I saw Sir Arthur Vizard.

2234. In this library?—In this room.

2235. Where was he, and what did he say?—Well, directly he saw me he told me what had happened, and described it as we have already heard. He was standing at the safe, and I asked him to let me see it. He opened the safe, and at all events, he put his hand in and showed me the boxes, and he drew out a red leather case and said that the key was in the lock contrary to his usual custom of leaving the key outside, hanging from the box. And then he opened the case, and I saw a blue ribbon on it. I said "Oh! they have left this blue ribbon behind" and he said "Oh, yes, they have." I said "Let me see it," and I looked at it, because I had known that this blue ribbon had an ornament fastened to it. I thought that I should have seen it out. I said to him "I suppose this is cut?" and he said "No," and then he opened the ribbon out. I then saw a little eye-hole mount, and he told me that the jewel was fastened on the ribbon, and when a portion of it went through this little eye-hole. He said that it took a great deal of time to adjust the ornament on the ribbon so as to take it off, and I then saw that it must have been done very deliberately, and that whoever had taken the ornament must have taken time about it. I then asked him to show me the other cases.

2236. Did he at all convey to you as that time that the ribbon had been attached to the jewel?—Well, I understood that at the time, and after a few days, as I will tell you by-and-bye, I went up to ask him again as that point so as to be quite certain of it. It occurred to me at the moment that if the ornament had been fastened in such a way as to take some time to take it off or put it on, this time had been expended by the thief. Then I asked him to show me some of the collar-boxes, and they were all empty. Most of the collars had been in cases of their own, and they could have been easily abstracted by being taken out. There was one box, however, that was merely a deal box, and Sir Arthur Vizard told me that, in that box, had been a collar which had belonged to the late Lord Cork, and at the death of Lord Cork the collar had been returned, not in its own case, but in a deal box, and that the collar was wrapped up in silver paper. Sir Arthur Vizard told me that the paper with which the collar had been carefully surrounded was left and the collar gone. So it gave me the impression that there had been great deliberation in the removal of these things.

2237. The paper had been carefully unwrapped?—The paper had been carefully unwrapped and left behind in the box and this struck me very much. But either on the Monday or the Tuesday—I think it was Tuesday, the 8th—I went to Sir Arthur Vizard

2238. CHAIRMAN.—That is Sir Arthur Vizard's signature? You saw him sign?—Yes, sir.

2239. CHAIRMAN.—Was this read to us before?

2240. The Solicitor-General.—Yes.

(The statement is set out in Appendix A.).

and I said to him, "I want particularly to ask you whether you are sure that the Lord Lieutenant's jewel was on the ribbon when you last put it away," and he told me he was quite certain that it was on the ribbon. The time that I saw him on the Saturday I understood him to mean that, but I had a doubt in my mind, and so I went to ask him about it. (The safe was here opened by Superintendent Least, who was called in, and the red ribbon was taken out and resubmitted to the Commissioners).

2241. The Solicitor-General.—That is the case you are speaking of?—I think it is. It seems to be a little larger than what I remember, but I have no doubt that it is the same case. It contains a slip of paper with these words on it. "Ribbon taken by me for Scotland Yard—J. V. Ul. 3rd August, 1907. Regulated 16th September, 1907."

2242. (To witness)—Can you tell whether that is Sir Arthur Vizard's writing or not?—Well, it looks very like it. Oh, yes, I am sure it is. There is no doubt of that being Sir Arthur Vizard's writing.

2243. Now, Sir John, you see that slip in the case?—I do.

2244. In what you believe to be Sir Arthur Vizard's handwriting?—In what I believe to be his handwriting, yes.

2245. CHAIRMAN.—The ribbon was not wrapped up when you first saw it?—No; it was lying across, and the thing interested me. I took it and said, "I suppose this is cut?"

2246. To what part of it is the jewel attached?—I do not know, for I have never seen how it is fastened. All I can say is what was said at the time, to explain that it was a very complicated affair. Sir Arthur Vizard said it took time to put it on and it took time to take it off, and I remember that when I looked at this I thought I should have seen it cut across, but it was not. My recollection of it was that when I saw it in July it had a little slot hole there.

2247. CHAIRMAN.—There is a sort of hole where some fastening would go through.

2248. The Solicitor-General.—He explained that it would take some time?—That it took some time to take it off and put it on.

2249. And did he on that occasion explain the process by which it was done?—Well, I think he did, generally.

2250. Mr. STEARNS.—And then there was a screw?—I expect that there is a book that goes round there, and that the hook is fastened itself on the jewel.

2251. CHAIRMAN.—Did he tell you whether it was his habit to keep the key attached to this box?—Yes, I think he did. My recollection of it is this: he was describing what had happened when he made the discovery, and he said that his attention had been called to the red box having the key in the lock instead of it hanging down as it usually did, and then that full of fear and anxiety he had taken hold of the box and to his dismay he found the box was lighter than it ought to have been, and when that he opened it and found that it was empty.

2252. The Solicitor-General.—Did you, on the Monday, ask Sir Arthur Vizard why nothing was said about the strong room being open on the Saturday?—Yes, I asked him on Monday, the 8th.

2253. And what did he say?—He told me that he was so upset that he had forgotten it.

Chief Inspector JOHN KANE examined by the Solicitor-General.

D. P. G.
Jan 15, 1907.

2250. You are an inspector at Scotland Yard?—Yes.

2251. When did you arrive in Dublin?—On the 11th July, sir.

2252. On Thursday, I think, it was?—Yes.

2253. And you were here in this office?—Yes.

2254. And you saw Sir Arthur Vane in connection with the affair?—Yes.

2255. Did you see the sale on that occasion?—Yes.

2256. And this red morocco case?—Yes.

2257. Which had contained the jewels?—Yes.

2258. When you saw it was it Sir Arthur Vane showed it to you?—Yes; Mr. Lowe was in my company.

2259. On that occasion did he show you the red morocco case?—Yes.

2260. And did you open it?—He opened it.

2261. And when it was open, what did you observe inside?—There was a small ribbon, I recollect distinctly, because he had previously described the ribbon before we had come to the safe, and had said that the thief could have been in no hurry at the sale, as the manipulation of the ribbon would have taken very considerable time to remove the ornament attached to it. Then, on going to the safe, he produced the ribbon and manipulated it with his fingers, showing the length of time that it would take to unscrew the jewel. My recollection is that there was a frayed portion of the ribbon on one side, and he showed how difficult it would be for an amateur, or for any person not acquainted with regalia, to shift the ornament over that frayed portion of the ribbon, and he was doing this in order to satisfy me that the thief had been in no hurry.

2262. Mr. JONES.—Apparently he satisfied you that the thief must have known all about it?—It satisfied me that the thief was in no hurry to leave the premises.

2263. CHAIRMAN.—And that he knew how to work it?—Oh, certainly. And you will appreciate, of course, that I am only stating facts that came under my observation, and I express no opinion whatever. I merely say what came under my observation for what it is worth.

2264. From Sir Arthur Vane's statement you drew two inferences, one that the thief was in no hurry, and the second that he knew what he was about, that he knew how to manage the ribbon?—I did, and I commented on that fact before I really arrived at the safe.

2265. The Solicitor-General.—Had you commented on it to him?—Oh, yes.

2266. Tell us what you said to him?—The position was described to me first by Mr. Lowe, and then, on seeing Sir Arthur Vane in his room upstairs, I told him I would prefer to take it first hand from himself, as I had only had it from my colleague, if I may so describe Mr. Lowe; I said I would prefer to take it from him, as he went through the whole history of the case, and as soon as he had done I said: "If my opinion is worth anything, Sir Arthur Vane, at all, this gentleman (meaning Mr. Lowe) must remain to look for the thief in this building, because what he has described to me would be utterly impossible, to my mind, on the part of an ordinary or outside thief." So then Sir Arthur Vane took me down to the safe and showed it to me. He had already given a description of the trouble that the thief must have taken with that ribbon, and then he gave me an illustration of how the thing might be done.

2267. Did he give you an account upstairs of how the ribbon had been attacked?—Oh, yes, he did, and that was one of the items in the account which made me make the observation that I have just told you, that no outside thief had done this thing, because the whole thing seemed to me so grotesque that an outside thief who had secured his booty would be so particular about the manipulation of the ribbon. And there were other points. All the cases from which those regalia and collars had been taken had been carefully restored to their original position. Experience teaches that when a thief secures his booty in another man's house, the first thing uppermost in his mind is to secure his retreat. What does he care whether cases are restored or collapse in their boxes? He wants to get away.

2268. Did you make any observation to him upstairs when you heard his account of the time that would be required to detach the ribbon from the jewel?—Yes.

2269. What did you say to him?—I told him exactly, before we came downstairs, what I stated here now, but I think I said it twenty or thirty times afterwards.

2270. Do you remember about what time he said it took to unscrew it?—Yes; he rather surprised me, because he told me it would take about ten minutes, but I do not think myself that it would take all that time.

2271. You then came down here to the safe?—Yes; I had already heard about the strong room door, and I had expressed an opinion on the strong room as well.

2272. Was it upstairs?—Oh, yes; he told me about the strong room as well.

2273. Tell us what he said about the strong room?—I asked him to give me his theory of the robbery, and he told me first of all that some persons must have secured impressions of his keys and by this means obtained access to the building and then to the strong room and the safe. Of course I was aware at that time that the expert who had examined the locks had expressed his opinion that no false key had ever been used, and that he had given his reasons. Of course I had heard such reasons many times before, and I told Sir Arthur Vane that it seemed improbable that forged keys were used at all.

2274. What did he say to that?—I described to him why I thought so. I said, first of all, that if the thief came in predetermined to rob the strong room he would have done so because he had opened it; and before he had forged the key for the strong room he must have made up his mind to rob it, otherwise one could not see any object in his forging the key of the strong room at all, for the mere curiosity of opening it and looking at the articles there. I said it was clear that the strong room was opened, and we must reasonably assume that whoever opened it went inside, "and then," I said, "if an outside thief did that will you please suggest why he did not secure some of the property there, such as the gold crown and the collection of valuable articles up on the shelf of an ordinary press, with ordinary glass in it, and I understand that even the key of the press was kept in a drawer of the table, in the middle of the room." He said "He was disturbed; he must have been disturbed," and I said "By whom or by what?" "You will recollect" I said, "the laziest way in which he operated at the safe. There was no hurry there. Put all these things before you—that he had operated at the safe first of all, and there was no hurry there. He was in the enclosure of a small strong room at the back of a large and unoccupied house. What disturbed him? If disturbed, who chased him? Where did he go? How did he disappear? Has anybody picked up any of the stolen property that he dropped in his flight?" "No, no," he said, "I cannot account for that at all." "Then reverse the position. Say that he robbed the strong room first and happened to be disturbed."

2275. Are you now stating what you said to Sir Arthur Vane?—Yes. Our conversation upstairs, I said, "Suppose he went to the strong room first, and that he was disturbed; do you suggest that after that he came here to rob the safe?" He could give no explanation. It was perfectly clear, I said, to my mind, that the man who did that has a knowledge of this building.

2276. Who said that?—I said that, and I added that he has more right on these premises than I have. I think these were the exact words that I used at the moment. This was all upstairs; and we came down and had a look at the safe.

2277. I want to get what you said to Sir Arthur Vane himself?—Yes; I said all this to Sir Arthur Vane.

2278. And then you came downstairs?—Yes.

2279. And saw the ribbon?—Yes.

2280. Would you be able to identify it?—I can, because I recollect one side of the ribbon.—(Red morocco case with blue ribbon inside prebound and

inspired by witness).—This is the one, to my recollection. That is where he showed the difficulty with it.

2282. Is that the ribbon?—In my opinion this is the ribbon I saw. I recollect it was something like that ribbon. Sir Arthur Vicars explained how difficult it would be, that it would take some time to work; I think the word he used was to "excess," over this portion of the ribbon the actual ornaments itself.

2283. Chairman.—That is, the frayed portion?—More difficult to take it off than if the ribbon were quite new, but I could not understand what an outside thief would want to take it off at all instead of rolling it up and putting it in his pocket.

2284. The Solicitor-General.—Did you get that to him?—Oh, certainly. We discussed the whole thing from beginning to end.

2285. Chairman.—Have you any theory as to why an outside thief should wish to take it off?—Well, the only theory I have is that this thief was not committed on the 5th of July.

2286. Why should any thief do that?—Well, he would not want to encumber himself with the ribbon. We will assume that same person convenient with the place—I am not making a suggestion against any person, I have no right to express an opinion at all about persons, I can only state facts—my theory is that he would be a person who would have time to remove it and would remove it at his leisure. It would be useless to an ordinary thief or housebreaker, a burglar coming in, to take that trouble. To me it is incomprehensible that any ordinary burglar should do so.

2287. Mr. Joyce.—Something that would lead to identification of the犯 if he forgot it after he had disposed of the jewels?—There are so many explanations to give of that ribbon.

2288. Mr. Staunton.—There was no reason why he should not cut it instead of withdrawing it?—No, sir, I cannot believe a burglar did that. You might say that the burglar would not want to run any risk, but I may suggest, with great respect, that the burglar would run as great a risk of being caught with the diamonds alone as with the ribbon attached. I do not see why the burglar should want to detach it. He would roll it up and put it in his pocket, and clear off as quickly as possible, and the same observation I put to Sir Arthur Vicars.

2289. The Solicitor-General.—Might it not happen that it might have been left in the hope that at some time the jewel might be restored by a person who took it for a temporary purpose?—Well, that suggestion will hardly apply to an outside thief.

Chairman.—Oh, no.

2290. The Solicitor-General.—Would that be a possible explanation of it, supposing that the jewels were taken for a temporary purpose?—Certainly.

2291. That it might have been left there in order to attach it when they were restored?—Certainly. Of course that would be an explanation.

2292. Now, there is a statement on paper inside the case:—"Taken by me at Scotland Yard." Did you ever see that ribbon at Scotland Yard?—I think I did, sir.

2293. By whom was it shown to you?—By Sir Arthur Vicars, I think, and Mr. Bennett Goldney, and Major Vicars. My impression is that I did see it there, but that did not impress me, because I had seen those gentlemen twice daily, Sir Arthur Vicars and his brother, Major Vicars, and having seen this ribbon here, it would not impress me to see it again at Scotland Yard.

2294. You think you did see it at Scotland Yard on some occasion?—Yes.

2295. Who was present?—I think Mr. Bennett Goldney was, but I won't be positive on that point, because I attach no importance to seeing it at Scotland Yard at all.

2296. Chairman.—Had Sir Arthur Vicars suggested to you that it was burglar?—Oh, yes, because he was very emphatic in saying, when I insisted on pressing my view that it was some person acquainted with the building, "I have implicit confidence in every member of my staff," and he repeated that over and over again.

2297. Did he say, at any of your subsequent interviews, withdraw that theory?—He did.

2297. Had he any other theory to substitute for the burglary theory?—Oh, yes; he accepted my view absolutely, that it was some person acquainted with the office.

2298. That was afterwards?—After some time. That would be after, I think, about the 2nd of August.

2299. Were you still in Dublin at that time?—I was in Dublin then.

2300. And he told you then that he had come to your conclusion?—Yes; he told me that he was inclined, but I do not think that he had finally come to my conclusion. I know that a couple of days after the 22nd of August, he told me that he had absolutely come to my conclusion.

2301. Mr. Staunton.—Did he, at that time, implicate any person?—He did, sir. He mentioned the name of a person.

2302. Chairman.—Did he tell you how, in his belief, it was done?—No; he did not tell me how it was done. He never did that. Of course if the person he aimed at was the thief his opportunity was ample, as it would be unnecessary for Sir Arthur Vicars to describe to me how he could do it.

2303. He did not say anything of this gentleman having taken way impressions of his legs while he was in his bath?—No.

2304. Mr. Staunton.—Are you aware of the name that was mentioned by him?—(The witness paused).

2305. The Solicitor-General.—Having regard to the fact that it has been already mentioned in reply to the Commissioner, I do not think there is any harm in mentioning it now.

2306. Chairman.—Did he mention a name?—Am I directed to mention it? I am in your hands. Personally I have no objection because it is common talk in London, in clubs, and other places, that he has accused this person.

2307. Mr. STANNICK.—Who is the person?—Mr. Shackleton, Frank Richard Shackleton. Mr. Shackleton is quite aware of it.

2308. Did he give you the date on which he believed they were taken?—No, sir; he never gave me a date.

2309. The Solicitor-General.—Now, that you have mentioned Mr. Shackleton's name, did he ever suggest to you at all how it was that Shackleton did it?—No, sir, never.

2310. Did he tell you when last Shackleton was in Dublin to his knowledge?—Yes. I think he said about the 7th of June.

2311. Did he tell you Shackleton used to stay with him in Dublin?—He told me he was his co-tenant for 2½ years.

2312. Did you ever put it to him how, if Shackleton was last in Dublin on the 7th of June, and that the jewels were seen in this office by Mr. Hodges, of Needhambridge, on the 11th of June, Shackleton could have taken them?—Oh, yes, I put that to him several times, because I was aware, of course, that the gentleman from Almack saw them on the 11th of June. I put that to him several times, and then he suggested that Shackleton was in collusion with some persons in this robbery.

2313. Were those other persons in the office?—No; they were not in the office at all, and never were, as far as I could ascertain.

2314. Mr. Staunton.—Did he convey to you whether the robbery took place on the night of the 5th of July or on some previous date?—He fixed it absolutely for the night of the 5th. That is where we could not agree, because I asked him, "Do you associate the opening of the strong room door with the robbery from the safe?" and he said, "Unquestionably."

2315. Chairman.—And you did not—I did, of course, in my own mind. I did associate the two, unquestionably, but I did not associate them for the purpose of that night.

2316. What I mean is, you did not think that the robbery of the jewels and the opening of the strong room door took place on the same night?—No; I did not.

2317. The Solicitor-General.—On what did you form that opinion?—Then I must object to expressing an opinion. I shall express no opinion, because if I expressed an opinion, that would lead up possibly to the involving of persons, and that I would not do. It would be the natural consequence, if I was to express an opinion, that I should have to explain how I

BEGINS.
JULY 15, 1908.

associated the opening of the strong room door that night with the robbery, but my opinion is that the robbery did not take place that night.

2312. Mr. STANKEE.—Do you believe that the opening of the strong room door was to account for the disappearance of the jewels?—I believe that whoever opened it—I make no suggestion in any shape or form—but the theory I formed at the time and the theory I maintain up to the present moment was that the strong room door was purposely opened that night for the purpose of bringing about an investigation that would lead to the discovery of a robbery that had taken place before Friday night, the 5th of July. That impression I formed at the time and that impression I still maintain.

2313. CHAIRMAN.—But you are aware that such a purpose was not successful, since the discovery of the strong room door led to no investigation?—I am aware of that, but that may not have been the expectation of the person who opened the door.

2314. Mr. STANKEE.—Were you told of the incident of the finding of the hall door unlocked on the morning of the 5th of July?—I was.

2315. Do you associate that with the taking of the jewels?—To my mind the same object was intended to be achieved on the night of the 5th which was intended on the 6th. We know that the persons who found those doors open did not do what one would have expected they would have done, rush off to the police at once and report it.

2316. Mr. JONES.—The leaving open of the front door not being sufficient in the first instance they used stronger measures?—If I may use the phrase, they thought they would go one better this time.

2317. The Solicitor-General.—Are you aware that both those facts were reported to Sir Arthur Viscars?—Oh, perfectly well.

2318. CHAIRMAN.—I would just like to ask you another question. Why do you think that the person who opened the front door or the strong room door wished to precipitate an investigation, I have no formed any theory on that point?—Yes; I have. I have formed an opinion and I expressed it at the time.

2319. What was it?—That there was a certain high personage coming here, and possibly certain people thought that when these jewels had disappeared it would be necessary that some explanation of that should be forthcoming before their arrival.

2320. But how was the thief interested in that?—That was just the very thing that I objected to at first, expressing an opinion about this matter at all, because it leads from one thing on to another. This will all possibly appear in Blue Book form and, therefore, I want to be very guarded. Besides I am not here under the protection of my superior. I am certain that my superior would, in the most positive terms, object to my expressing an opinion. A police officer has no right to express an opinion at all with regard to persons. I must only state facts.

2321. Mr. STANKEE.—Did Sir Arthur Viscars give you any idea as to how an impression might have been taken of his keys?—Yes, he said it might have been done. I am speaking of the first occasion here when he was convinced that an impression had been taken. He said he had implicit confidence in his own staff and that he could not point to any person who could have had that opportunity. Many persons could have had it, but he could not particularise.

2322. The Solicitor-General.—Did he ever on any occasion—ask you in the widest sense—down to the present moment make any statement to you suggesting how any human being could have had an opportunity

of getting possession of his keys?—No; he has never given me anything approaching a clue to how any outside person could have done that.

2323. Well, I must ask you, any person?—No, not any particular person.

2324. Mr. STANKEE.—Have you formed an opinion as to whether that safe there was locked or not from the date of the robbery up to the night of the 5th?—No; I have not formed an opinion about that, but I pointed out at the safe to Sir Arthur Viscars that it seemed to me so utterly impossible that any outside thief would have done all these things, putting back the cases, and I particularly noticed that this is a very large safe and I said, "Just imagine an outside thief doing the very thing that might attract the attention of the sanitary authority by closing a door which is very thick, in this front room, by shutting up a strong room door in the silence of the night." I said he would have gone off and left the cases on the floor and the door wide open. And I specified the shutting of the door and the turning of the handle downwards, giving to the observer the appearance of a locked safe. I said an outside thief never did that.

2325. Have you any theory as to why the thief did not proceed further and lock the safe?—Possibly he was under the impression he had done so.

Mr. JONES.—Perhaps he did lock it.

2326. Mr. STANKEE.—That is assuming that the robbery took place some time before the night of the 5th?—Some time, yes.

2327. He could have locked the safe and opened it in the same way as the strong room?—The same way as the strong room. But I think there must have been an intention, say, to impress the observer with the idea that the safe was locked by turning the handle right down to give it the appearance of a locked safe.

2328. But if the jewels were taken for a temporary purpose and the safe left unlocked, anyone who turned the handle would discover that the jewels were gone and the thief would have no opportunity of returning them undiscovered?—Yes; if it was left open for some time, but in my mind the safe was unlocked the same night as the strong room door.

2329. The Solicitor-General.—Do I understand you to say that it was unlocked on the same night as the strong room door was opened?—That is the impression I have formed.

2330. Although it is your impression that the jewels had been taken on a prior occasion?—Oh, yes, because I cannot understand opening the strong room door and touching nothing at all, because before the toy was made, if any outsider did it, there must have been a predetermination to rob the strong room, otherwise there is no sense in forgoing the key.

2331. There is one matter I wish to ask you. Sir Arthur Viscars was in London, I understand, in the early part of August?—I saw him here about the 1st or 2nd of August.

2332. Did you see him in London in August?—Yes.

2333. Can you tell us whether he was continuously in London for a number of weeks in August and September?—He was, and used to stay with Mr. Bennett-Goldman and others, and used to come up to town.

2334. Did you see him frequently?—Yes.

2335. Did he ever, on any one of those occasions, give you any clue at all to how any person could have got possession of his keys?—No; he never gave me any explanation. Of course at that time he had only one person in his mind.

2336. That is the one you have mentioned?—The one I have mentioned.

The Commissioners adjourned for luncheon.

On resuming,

Mr. George D. BURCHMORE was recalled.

2342. The Solicitor-General.—The Commission wish to know whether you had any official entry in this office that His Majesty was coming to Ireland in 1907?—Yes. On the 10th of June various inquiries were made by bodies wanting to present addresses, and on the 10th of June I had some conversation with Ulster about it.

2343. That is, with Sir Arthur Viscars?—Yes; with Sir Arthur Viscars, and he wrote a letter to ask if the

visit was to be in State or semi-State and to let him know as soon as possible.

2344. Do you remember what reply was given to that?—I do not know.

2345. It was known that the visit was in semi-State, of course?—Oh, yes; some time after that; the portion about the visit to the Exhibition was in semi-State.

2345. There was some question as to whether the premises in this library, during office hours, were open or shut?—They were open.

2347. All open?—Well, sometimes that pass (B2) was not open. There was a different key for it, and also the books were not in constant use, but the other premises were always open.

2348. Mr. JONES.—You said something about going into the strong room and getting the key which was attached to the key of the grill in order to open these

premises?—I do not remember saying that. Shirey had a key of these premises, and if I wanted to open them and Shirey was not here I sometimes got a key that was retained.

2349. CHADWICK.—You did not go to the grill and take the key of the grill out with that key on it?—Well, it is quite possible I might have done so.

2350. Mr. SNAKIN.—Did you know that there was a pass key attached to the key of the grill?—Yes; it was the key that Shirey had; I think that they were always fastened together.

DUNBAR
Jan. 15, 1908

Mr. ANDREW BOYD examined by the Solicitor-General.

2351. You are an official of the Board of Works?—I am.

2352. What is your position?—Assistant Principal Surveyor of Buildings. That is my present position.

2353. How long have you filled that position?—About three years. I was Assistant Surveyor of Buildings for rather over 12 years.

2353. And in the employment of the Board of Works all that time?—All the time.

2354. Now, you remember when the Office of Arms was situated in the Birmingham Tower, in the Lower Castle Tower?—I do.

2355. And when was it that the present office, in which we are, was fitted up for the purpose of becoming the Office of Arms?—The present office, in which we are now, was fitted up in the closing months of 1902.

2356. Do you know yourself anything of the arrangement as to the disposition of the jewels while the office was in the Lower Castle Tower?—No, save that they were in this safe, which was then in the office.

2357. Do you remember when that safe was first provided?—In 1893.

2358. Were you in the Board of Works at that time?—I was.

2359. At whose request was it provided?—Sir Arthur Viars, I understand.

2360. You understand?—Yes.

2361. Do you know for certain?—The records show that the application was from Sir Arthur Viars.

2362. Well, kindly indicate some record that shows that?—(Witness produces file of papers.)

2363. Have you yourself seen the record?—Oh, yes, I have. There is a record of the order having been issued on the 11th of February, 1893, for a new safe.

2364. And it was then provided?—Yes.

2364. And it was used in the lower office?—It was.

2364a. Was it deposited, to your knowledge, in the lower office?—Yes, it was. I saw it there.

2365. That is the safe that is at present in the library, this room that we are now sitting in?—Yes.

2366. Where was it kept in the lower office?—I do not recollect.

2367. Was it a new safe when provided in 1893?—It was.

2368. Now I bring you to the time of the fitting up of the present office. That, you say, took place in the end of 1902?—Yes.

2369. And was a strong room built on that occasion?—It was.

2370. That is the strong room that is just outside this present office?—That is so.

2371. That, apparently, was an open room before?—There were some closets on the ground floor, and the basement was one room. In order to provide this strong room, and have it sufficiently fire and burglar proof, it was necessary to construct the walls away from the basement. That necessitated building the walls of fire-brick and cement, and the construction of five-poured floors and ceiling partly of concrete, with steel reinforcement.

2372. Have you any record of the correspondence that passed between Sir Arthur Viars and your Board at that time in connection with the matter?—Yes, I have.

2373. Kindly indicate that?—I had no charge of the preliminary steps that were taken between the Board and Sir Arthur Viars as to the actual works that were required here, and the scheme was practically settled before I was brought into immediate charge of them, but the records here show

that there was a considerable correspondence going on between the Irish Government and the Board as to the provision of offices in the Upper Castle Yard. Whether or not the Irish Government saw the drawings I cannot say, but I have the plans here, and of course Sir Arthur Viars saw them, and was acquainted with all that the Board did in the way of providing the accommodation that he wanted, and in such a way that it would be secure for the documents and other things to be deposited therein.

2373. Were the plans seen by Sir Arthur Viars?—Oh, yes, they were, several times.

2374. And then was the office modified in pursuance of those plans?—The plans had reference only to the strong room.

2375. Was the strong room built then in pursuance of the plans?—It was. I have copies of the plans here if you wish to see them.

2376. We have a general idea of the strong room. We know that there is a window looking out into the area. Is that window barred from within or without?—Barred from without, and there are steel shutters within.

2377. Now, when first did you hear that the safe which is now in this room could not be put into the strong room?—(Witness refers to paper.)

2378. Mr. JONES.—Is there any evidence that Sir Arthur Viars told the Board of Works that he wanted a strong room built to hold the safe?—No, none.

2379. The Solicitor-General.—None, sir, as far as I know. (To Witness)—What have you all these documents here for?—For reference in case of any suit being wanted. I did not know what I might be called. The first intimation that the Board had, as far as the records show, that Sir Arthur Viars wanted to place the safe inside the strong room was on the 25th of April, 1903. The letter to Sir George Holmes, Chairman of the Board, is dated the 25th of April, 1903.

2380. Mr. JONES.—Had the strong room been built at that time?—The strong room had been completed rather more than four months at that time.

2381. And during that four months was Sir Arthur Viars in occupation of this office?—No, nor for some little time afterwards.

2382. Some time after that?—Some time past the middle of 1903. I have here the letter dated 25th of April, 1903, from Sir Arthur Viars to Sir George Holmes, Chairman of the Board. (Witness reads letter, which is set out in Appendix D, pp. 3-4).

2383. The Solicitor-General.—The fifth requisition is: "Existing safe for Crown jewels to be exchanged for a narrower one to fit through the door of the strong room, not more than 3 feet wide." Was that the first application, to your knowledge, that was made by Sir Arthur Viars to have the safe containing the jewels placed in the strong room?—That is the first intimation, as far as I have any knowledge.

2384. The proposal, apparently, in this was that the existing safe should be exchanged for one narrow enough to enter the strong room?—Yes.

2385. Is there, to your knowledge, any truth in the suggestion, if it be a suggestion, that the Board of Works stupidly built the strong room with a door too small to accommodate the safe which was intended to be brought into it?—Absolutely impossible. No such suggestion can be made with any degree of truth. Not a shade of truth about it.

2386. Was the receipt of that letter the first intimation your Board had, to your knowledge, of any intention to place the safe containing the Crown jewels in the strong room?—That is the first intimation we had.

DRAWS. 2367. Mr. STANNETT.—Were measurements indicated on the plans that were furnished to Sir Arthur Vivers?—No. (Please produce.)

2368. Were they scale drawings?—Oh, yes.

2369. CHAIRMAN.—What width does this scale indicate for the door?—2 feet 6 inches, I think.

2370. Is 2 feet 6 inches sufficient to take in a safe 2 feet wide?—Oh, yes.

2371. Mr. STANNETT.—What is the measurement of the existing safe?—2 feet 4½ inches; but the hinges bring it up to 2 feet 8 inches over all.

2372. What is the outside measurement?—Really 2 feet 8 inches when the hinges are taken into account. Not 2 feet 4½ inches, but then you must add the other 4 inches for these hinges.

2373. Chairman.—Then that safe could not, as a matter of fact, go into the strong room?—Not by the door.

2374. The Solicitor-General.—Now, at the time when you say the intimation came in the letter you have read the strong room had been already built at least three or four months?—That is so.

2375. And completed?—And completed, except for some re-arrangements Sir Arthur Vivers asked for subsequently.

2376. Now, on that requisition to exchange the present safe for one narrow enough to be taken into the strong room, what did the Board do?—The Chairman of the Board, who was then Mr. Holmes, showed the letter to me, and asked me if there was any way out of the difficulty other than by the purchase of a new safe. I said "I will look into the matter." I saw Sir Arthur Vivers in the case, and I suggested to Sir Arthur that there was no very great difficulty in getting the safe into the strong room either by taking down part of the wall, which had just been completed, or by removing the bars from the window.

2377. Did you make that suggestion to Sir Arthur Vivers?—I did.

2378. What reply did he give to that?—He considered the matter for some little time, and we went into the strong room and took some measurements there, and he then concluded that the safe would occupy rather too much floor space in the strong room, and said that unless he could get a small safe he would prefer to leave the safe where it was.

2379. When was it that he said that?—It was just after we got this letter.

2380. Mr. JONES.—What do you mean by "Where is it"? It was not here then?—It was in his office, in the Lower Yard.

2381. The Solicitor-General.—Where was it supposed that the safe was to be put when it could not get into the strong room; did you know where it was intended to place it in this office?—No, I did not.

2382. Who selected the place in which it eventually was put. Was it you?—No. I take it that it was Sir Arthur Vivers. All the items of furniture that came up here were placed in the positions indicated by Sir Arthur Vivers or some other person acting for him.

2383. The Board had nothing to do with the disposition of the safe?—No; nothing at all save the carriage.

2384. And your recollection is that you offered to take down portion of the wall, or put it through the window?—Take down the bars, put it in through the window, and replace the bars again.

2385. And he said he would prefer it as it was?—Yes, that it would occupy too much floor space in the strong room.

2386. What next did you hear anything in connection with the safe and the strong room?—Officially, not till I think, the 8th of July, last year.

2387. That is, the Monday succeeding the discovery of the robbery?—That is so.

2388. When you say "officially" I am bound to ask you did you, unofficially, hear of it?—Oh, yes, I did.

2389. How?—By certain questions put to me by the Chairman, and by the furniture clerk, as to the description of the safe and the size of it, and whether or not the request for a small safe was apparently a reasonable one. Because an application had been made to the Board in, I think, the October of 1903, to have a smaller safe supplied to replace the larger one.

2390. Have you that application?—Yes, I have.

2411. Is there any letter which you got?—There is a letter of the 4th of November, 1903. (*Reads letter of Sir Arthur Vivers dated 4th November, 1903, see Appendix C, p. 4.*) There is another letter of that date from Sir Arthur Vivers to the Secretary of the Board of Works.

2412. What was done on that by the Board of Works?—A report was made on that application in the ordinary course by the furniture clerk who deals with all the items of furniture, and the report was considered by the Board.

2413. What was done by you as regards the question of the safe?—Well, I can only read for you here Sir George Holmes' minute.

2414. CHAIRMAN.—What is the minute?—Perhaps I should read the furniture clerk's report first of all.

2415. We do not need it?—Very well. The minute is dated 22nd December, 1903, and it is as follows:—"I have had a conference with Ulster, who thinks that in view of the fact that there is always a sentry outside, the present burglar-proof safe can be used by him till such time as we can find another use for it. On the other hand he represents a trolley as very desirable to prevent damage to books and manuscripts."

2416. What is that?—A trolley for moving books from one room to another to save carrying by hand. The minute concludes as follows:—"The item for new safe may be cancelled and the trolley allowed." And there is some other matter, but that is the gist of it.

2417. The Solicitor-General.—Whose handwriting is this in?—Sir George Holmes'.

2418. That is dated the 22nd of December, 1903?

2419. When, after that did you again hear of the safe?—Absolutely nothing till the 8th of July, 1903.

2420. Is there anything else that you know that you think will throw light on this question?—Well, I am quite prepared to answer any questions.

2421. Chairman.—What was said on the 8th of July about the safe?—Oh, very many things were said.

2422. But as affecting your Department, How was it brought into connection with your Department?—The Board of Works of course have charge of the Castle buildings and are responsible for the works carried on here, and that being so when I saw a statement in the Press on Monday morning that the jewels were missing, I came at once to this office in order to ascertain what the facts really were, and whether any burglary had taken place, so that I might be in a position to report to the Board. I considered that part of my duty. I ascertained all the facts I could so far as they concerned the Board, and I reported these to the Board. Of course there are many things in connection with the whole case that do not affect the Board in any way.

2423. Did Sir Arthur Vivers say anything to you about this being the result of the Board of Works not giving him a new safe?—Oh, yes, he did.

2424. The Solicitor-General.—Tell us what he did say?—I will read one portion of my report to the Board. (Writes and sends his report to the effect that Sir Arthur Vivers had stated that if he had had a small safe as he had desired some time ago the abstraction of the jewels could not have taken place.)

2425. Chairman.—Did he tell you, when he said that to you, that the strong room door had actually been found open that morning?—So far as I recollect Sir Arthur Vivers stated that it had been found open.

2426. How is that consistent with his saying that if the safe had been in the strong room the robbery could not have taken place?—That is a matter for Sir Arthur Vivers to explain.

2427. Mr. STANNETT.—Did Sir Arthur Vivers make a reply to Sir George Holmes' minute of December?—No, he did not, so far as I am aware, and the records do not show anything.

2428. The Solicitor-General.—Of course that was an official minute of his own office, and would not be communicated to Sir Arthur Vivers.

2429. Mr. STANNETT.—Was any letter based on that minute sent to Sir Arthur Vivers?—No. The Board do not communicate minutes on matters connected with the estimates.

2430. Mr. JONES.—I understand that that minute was a description of the result of the conversation that Sir George Holmes had with somebody!—Yes.

2431. The Solicitor-General.—Between that date and the 2nd July last no requisition on the subject ever again came from Sir Arthur Vicars to the office; is that so?—That is my recollection.

2432. Mr. STRAKER.—You said you heard nothing further about it after that minute!—No, I heard nothing at all, either officially or unofficially. There were some letters from Sir Arthur Vicars between the date of his letter to Sir George Holmes of the 25th April and the formal application in connection with the estimates for 1903-4, and there were two letters from him, one to Mr. Coghlan, the Board's furniture clerk, and one in which a reference was made in passing to the question of the safe.

2433. The Solicitor-General.—But after the date of that minute in which Sir George Holmes referred to the conversation he had with Sir Arthur Vicars on the subject, did Sir Arthur Vicars, to your knowledge, address any letter of requisition, whether verbally or in writing, upon the subject to the Board?—No.

2434. Can you tell me when the safe box which contained the jewels was supplied? I think you said it was in 1903?—Yes, that is so.

2435. Who got the keys for that safe?—The keys were sent direct by the safe-makers to Sir Arthur Vicars in a sealed registered parcel.

2436. In other words, they did not pass through your office?—No.

2437. Can you tell the Commissioners how many keys were supplied in the first instance for the strong room?—Two for the strong room, and two for the grille.

2438. Have you any knowledge of how the other pair of keys for the strong room, making four in all, came into existence?—I have.

2439. How?—Well, I cannot give direct evidence on that. I can only give what may be called hearsay evidence.

2440. Hearsay from whom?—From the manufacturers of the door, Messrs. Minton.

2441. Did those additional keys go through your office?—No.

2442. So far as you know, to whom were they sent?—I understand they were sent to Sir Arthur Vicars.

2443. Do you know whether the Board of Works paid for them?—They did not.

2444. The Board of Works, as I understand it, paid for the first two keys?—Oh, yes, for everything in connection with the strong room, and the fitting up of the strong room and the fitting up of this office.

2445. But I understand that they did not pay for the two additional keys for the strong room door?—No.

2446. Making four keys in all?—Making four keys in all.

2447. CHAPMAN.—How did you come to know there were two additional keys?—Well, in the discharge of my duty to the Board, I thought it incumbent on me to make such inquiry, having heard that there were four keys of a strong room door in existence of which we had only supplied two.

2448. When did you hear that there were four keys?—On the 2nd July in this room.

2449. Up to that time you did not know that there were any keys but the two keys originally supplied?—On the occasion in question I first heard of the existence of four keys. A statement was then made by Sir Arthur Vicars that there were four keys of the strong room, and he gave the names of the parties having custody of the keys.

2450. And did he tell you how they had been obtained?—I do not recollect that he did. He said

on that occasion that he got these keys, the keys of the strong room door and the grille under the master's seal, showing that they had not been opened by any person outside.

2451. The Solicitor-General.—You told us that Mr. Coghlan was furniture-clerk in the Board of Works Office?—Yes.

2452. Have you a letter addressed to Mr. Coghlan by Sir Arthur Vicars of the 18th May, 1903?—I have a copy of the letter—not the letter itself.

2453. Where is the letter itself?—I do not know. It was a semi-official letter, practically regarded as a private letter, because a letter addressed to an official of the department is not regarded as an official communication.

2454. But there was nothing private about it, it was addressed to Mr. Coghlan?—Yes, it was, but Mr. Coghlan did not think that letter of sufficient importance to keep.

2455. But when you say it was private it was not private and confidential in the sense that it should not be used?—No.

2456. CHAPMAN.—How did you get a copy of it?—From Sir Arthur Vicars himself; he sent a copy of it. I should say that that is an extract from the letter, not a copy of it.

2457. Then that came from Sir Arthur Vicars himself?—Yes.

2458. The Solicitor-General.—It is an extract from a letter of Sir Arthur Vicars, K.C.V.O., Ulster King of Arms, to H. Coghlan, Esq., Board of Works, dated 19th May, 1903.

(Reads letter. See Appendix C, p. 6.)

2459. Now, as to the 4th of June, 1903, have you got there a copy also supplied by Sir Arthur Vicars containing an extract from his letter sent to Mr. Coghlan, dated 4th June, 1903?—Yes.

(Reads letter. See Appendix C, p. 6.)

2460. (To witness).—Tell me was it after these letters that the conversation appears to have taken place between Sir George Holmes and Sir Arthur Vicars?—No, before.

2461. These are dated 1903?—I am aware of that; it was in April, the end of April, or early in May, 1903, that I had a conversation with Sir Arthur Vicars, and Sir George Holmes subsequently had a conversation with Sir Arthur Vicars in the Kilmaine-street Club.

2462. CHAPMAN.—What is the date of the minute you have just read?—Sir George Holmes had two interviews with Sir Arthur Vicars on the subject of a safe.

2463. The Solicitor-General.—You are asked what is the date of the minute that you read out?—The date of the minute is December, 1903.

2464. And therefore it follows, I suppose, that that minute was recorded subsequently to those letters of which I have now read copies?—Oh, certainly. Those letters were dated May and June, 1903, and the minute is dated 22nd December, 1903—months afterwards.

2465. Now, what was the first interview you had about the safe?—After Sir Arthur Vicars wrote the letter of the 25th April to Sir George Holmes I called on Sir Arthur Vicars to say that Sir George Holmes had instructed me to see what could be done in the way of getting the safe into the strong room. I then suggested that either by taking down part of the wall or removing bars from the window the existing safe could be got into the strong room. A few days after that the same master was under discussion between Sir George Holmes and Sir Arthur Vicars in the Kilmaine-street Club, and that took place either in April or early in May, before these letters were written to Mr. Coghlan.

2466. But it was after these letters were written that Sir George Holmes wrote this minute?—Certainly.

Sir George C. V. Holmes, K.C.V.O., Q.C., examined by the Solicitor-General.

2467. Sir George Holmes, you are the Chairman of the Board of Works?—Yes.

2468. And how long have you filled that office?—Since April 15th, 1903.

2469. You remember the transfer of the Office of Arms from the Lower Castle Yard to the present place?—Yes.

2470. And were you concerned with the readjustment of this office for the reception of the Office of Arms?—Yes.

2471. Plans were prepared?—Yes.

2472. And did Sir Arthur Vicars see those plans?—Yes, they were made to his requirements.

2473. And did he approve of them?—He did.

DUBLIN.
JULY 18, 1928.

2473. Now, before I come in detail to that, do you remember when the safe in this present office, this one here, was first supplied to Sir Arthur Vivers?—One can only tell you from information I have received. It was long before my time. It was fourteen years ago.

2474. Were you a member of the Board at the time?—No.

2475. Now, at the time that this office was being reconditioned for the reception of Sir Arthur Vivers, and the strong room was being built, were you informed at all that it was his intention to place the safe containing the regalia in the strong room?—No, not during the time that the alterations were being made.

2476. Had you yourself any knowledge at all of the obligation placed on Sir Arthur Vivers by the statutes of the Order of Saint Patrick as to the custody of the jewels?—None whatever.

2477. And it follows from that that you did not know where, by the statutes, he was commanded to deposit the jewels?—Certainly not.

2478. As I understand, you had no knowledge at any time of what his duty was in regard to the custody of the jewels?—Not till after the robbery took place.

2479. And did you know at any time when it was his duty to keep the jewels deposited?—No.

2480. Did he ever inform you?—No.

2481. The statutes of 1905 state it specifically?

Mr. Justice.—But this was in 1905.

2482. The Solicitor-General.—The statutes of 1905 say that they must be deposited in a steel safe in the strong room, and I am asking you, Sir George Holmes, had you, at any time up to the date of the robbery been informed by Sir Arthur Vivers or otherwise ascertained that that was his duty under the statutes?—No.

2483. Now, in 1903 the office was reconditioned?—It was in 1903 that the works were commenced.

2484. You remember the strong room being built?—Yes.

2485. When first was it that you heard that there was any question of a safe being placed in the strong room?—After the completion of the strong room.

2486. And can you indicate to the Commissioners how the information reached you?—The first information that reached me was in a letter from Sir Arthur Vivers himself.

2487. On what date?—26th April, 1903.

CHIEF COMMISSIONER.—I think that letter has been already read.

(Witnesses persons letter.)

2488. The Solicitor-General.—Was that the first intimation you got of its being desirable to have the safe placed in the strong room?—So far as I remember it was.

2489. And the proposal was that the existing safe should be exchanged for a narrower one, which could be put into the strong room?—Yes.

2490. What did you do on that?—Well, the purchase of a new safe would have involved considerable expenditure of public money, and the existing safe was a burglar-proof and fire-proof article of the best possible construction. I was advised that the locks could not be picked, if at all, under thirty hours' hard work and under what I may call favourable circumstances. Moreover, the safe was to be placed in a position where it would be under constant surveillance, that is to say, there would be a sentry always outside and a policeman always in front, and it seemed to me, therefore, that it would be a waste of money to supply a new safe. I went to an officer of the Board of Works, I think it was Mr. Robinson himself, and directed him to ascertain if the existing safe could not by any possibility be put into the strong room. He informed me, after inspecting the premises, that it could, at the cost of a few pounds, be put through the window of the strong room. It would be necessary to remove the bars for the time being and to replace them. I directed him to inform Sir Arthur Vivers of that, and he reported to me shortly afterwards that he had done so. I cannot tell you the exact date. I met Sir Arthur Vivers at the Kildare-street Club, and he at once began to speak to me about this very question. He said that he had been considering my offer to put the safe into the strong room, and had come to the conclusion that it was not necessary because the safe was burglar-proof and fire-proof, and the lock could not be picked

in any time during which the office was not open to inspection. He added that there was a sentry behind and a policeman in front. These were the very considerations which had occurred to me before; and then he said that he had come to the conclusion that he would be content to exchange the safe for the present, if I would promise to exchange it at some future date whenever we could dispose of it elsewhere. I said that I would do that, and so the matter dropped. In December of that year the estimates for the Office of Arms for the next financial year came before me, and they included, amongst other things, a requisition from Ulster for a new safe which would go into the strong room. He had told me, I should tell you, at the Kildare-street Club, that it was his intention to send a formal requisition for this safe, and as soon as I saw the requisition I entered a certain minute on the book, and it runs as follows. (Reads minute of 23/12/03, See Appendix C, p. 4).

2491. You have said that in May, 1903, at the Kildare-street Club he told you that he intended to make a formal requisition for the safe?—Yes.

2492. What did he mean by that; what did it convey to you?—He said that it was to safeguard himself.

2493. And then, on that intimation, you made that minute when the master came before you on the estimates?—Yes, that is so, and that was acquiesced in. We heard nothing more about it.

2494. How do you mean that it was acquiesced in?—I mean he raised no protest of any sort, because he had not got the safe.

2495. That was in 1903?—That was in 1903. This minute was entered in December, 1903.

2496. Now, in the year 1904, I suppose you necessarily saw Sir Arthur Vivers?—Yes.

2497. Did he ever make any further requisition to you about the safe?—No.

2498. Nor in the year 1905?—No.

2499. 1906?—No.

2500. 1907?—No.

2501. Did you ever, from that date up to the discovery of the robbery, hear a single thing in connection with the safe?—Not a word.

2502. Did he tell you, at any time after the statistics of 1905 were framed, that the duty was thrown on him of placing the jewels in a steel safe in the strong room?—No.

2503. Or did you know anything about that?—No, not till after the robbery.

2504. Then this letter was sent on the 18th July, 1907, by Sir Arthur Vivers to Sir George Holmes. (See Solicitor-General reads letter of Sir Arthur Vivers to Sir George Holmes, dated 18th July, 1907, See Appendix C, p. 5).

2505. Now, Sir Arthur Vivers is in that states that he sent with it copies of two letters addressed on the 19th May, 1903, and 4th June, 1903, to Mr. Coghlan, the copies which I have read already?—Yes.

2506. Had you, up to that date, namely, 18th July, 1907, seen or received those letters Sir Arthur Vivers sent to Mr. Coghlan?—I should just like to read them. (Witnesses persons letters). I note, first of all, that they are after the date of Sir Arthur Vivers' letter to me. I have no recollection of reading them, but I won't state positively.

2507. There is a letter referred to by him in this letter of 18th July, 1907, namely, a letter of the 1st October, 1902. Have you got that letter?—(Letter produced and read. See Appendix C)

2508. I see a reference made in this letter of the 18th July to your letter. Had you, immediately prior to the 18th July, sent Sir Arthur Vivers a letter, for he says "In reply to the latter part of your letter?"—I have a sort of recollection that I wrote to him on the subject of his allowing comments to appear in the Press. I will endeavour to trace the letter.

2509. As I understand you had, prior to the 18th July, written to Sir Arthur Vivers remonstrating with him about allowing comments to appear in the Press affecting your office?—Yes.

2510. Will you try to get a copy of the letter for the Commission?—I will do so.

2511. And it was in reply to that that this letter of the 18th July was sent?—Yes.

2512. Sir Arthur Vivers states in this letter:—My recollection is that in 1893 the two keys were

* Sir G. Holmes subsequently informed the Commissioners that he was unable to find a copy of the letter.

handed to me by Morris and not delivered to me by registered post?"—Yes; but there is perfect evidence to show they were sent to Sir Arthur Vicars direct by registered post.

2313. Mr. Robinson has told us that they came direct from the makers. It is stated here by Sir Arthur Vicars that it was not till the strong room was nearly complete, and the door fixed, that he discovered that the door was not wide enough to admit the safe, although he had all along pointed out that he wanted the safe to be placed inside. Did he ever point out to you, while the strong room was being built, that he wanted the safe to be placed inside?—Never. He would not point it out to me personally in any case.

2314. I find that in the letter to Coghlan, of the 19th May, this statement appears, as regards the safe, "I originally proposed to put the one I have into the messenger's room, outside the strong room," but, as I understand you, Sir George, he never conveyed to you that he wanted the safe put into the strong room?—No, not till the 25th April, 1903; I think his letter, which I have just read of 1st October, 1902, tends to prove that, because it makes no requisition in respect to the safe. I am referring to his official letter to the Board of Works, dated the 1st October, 1902.

2315. And in that there is no requisition at all in reference to the safe?—No.

2316. He says in his letter of the 13th July, "I remember, and my letters bear it out, my asking for a Bramah lock"?—That was for the strong room door.

2317. Was that the only reference ever made to a Bramah lock?—As far as I know.

2318. But that had reference to the strong room door?—Yes.

2319. And did he refer to the safe?—Oh, no; the safe was all right, and had been for many years provided with its lock. He had asked for a Miller's burglar, not fireproof safe, for Crown jewels. Miller's do not fit Bramah locks to their safes.

2320. And you say that on that you made the entry that you have told us and under the conditions that you have told us?—Yes.

2321. You had previously been informed by him that he would formally send a requisition?—Yes.

2322. And that he was prepared to keep the safe till some future occasion?—Yes.

2323. Your understanding with Sir Arthur Vicars was that when on a future occasion you wanted the safe for another office you would exchange this one for a new one to be given to him?—Yes.

2324. We know how many keys of the safe there were. Have you anything to indicate officially how the keys of the safe came into the possession of Sir Arthur Vicars?—Yes.

2325. What is that?—There is a letter from the safe-makers, (*Bentley Safe Company's* letter of 22 July, 1907, read. See Appendix C, p. 4).

2326. Is the number of the safe here?—2225?—Yes. That is the number of the safe now in the room.

2327. The letter says "The keys of this safe were sent from here by registered post direct to Mr. Vicars on the 15th April, 1903." Are Messrs. Hodges and Son, of Dublin, representatives of the Bentley Safe Company?—I believe they were at that time. I am not now speaking from my own personal knowledge, but I understand that they undertook to supply the safe at the instance of the Board.

2328. Mr. Robinson.—They were then the agents, they are not now.

2329. The Solicitor-General.—Do you know how many keys originally there were for the strong room door?—Two.

2330. When first did you become aware that there were in the office actually four keys for the strong room door?—After the robbery.

2331. Had you anything to do with the supply of the third and fourth keys?—Nothing whatever.

2332. And therefore you did not pay for them?—No.

2333. Have you any official record to show how the third and fourth keys for the strong room came to be supplied?—No.

2334. CHAIRMAN.—Mr. Robinson, I think, told us that he had ascertained that they were supplied from the makers.

2335. Mr. Robinson.—My information was that they had been supplied by the makers of the strong room door.—(Witness)—Not through the Board.

2336. Mr. Robinson.—Not through the Board.

Domino
JULY 16, 1908

Mr. STANISLAW.—Was the Lord Lieutenant not Grand Master of the Order at the time?

The Solicitor-General.—He was, but I do not think the Insignia existed.

CHAIRMAN.—That is, the Insignia which consists of the Lord Lieutenant's jewel?

The Solicitor-General.—Yes. The words in the Statute are "Collars and badges." The Statutes only deal with the collars and badges and not with the jewels, and it does not appear to be known when these Regalia came into existence or were first placed in the custody of Ulster. All we know of them so far as express statute goes is, that they were dealt with by the Statute of 1605, those that I have already referred to. Of course in that the obligation was distinct, namely, to place them in a steel safe in the strong room.

The Commission adjourned.

SIXTH DAY.

THURSDAY, JANUARY 16TH, 1908.

The Commissioners sat at 10.30 a.m.

DUBLIN,
Jan. 16, 1908.

The Solicitor-General—Yesterday I gave evidence, you will remember, concerning a certain statement made by Sir Arthur Vivers which implicated a particular person who was afterwards named in response to a question. I stated at that time that it was only fair to Sir Arthur Vivers that that evidence should be given, as he has not thought well to attend, so that his version of the case as affecting that person should be before the Commission. Immediately after that I became acquainted with the fact that Sir Arthur

Vivers had made a similar statement to another police officer, and I think that, before the person referred to is examined—and I understand he is in attendance to give his evidence before the Commission—it is only just that I should also present that information to the Commission, so that they may be apprised of it before they hear him.

CHAIRMAN—Yes, so that we may be able to ask any questions that may tend to explain matters.

Detective-Sergeant SUTHERAN recalled and

2237. On the 16th September, I believe, you had an interview with Sir Arthur Vivers in the Office of Arms?—Yes, sir; on that occasion he said that he would not be at all surprised if the jewels were returned to him by parcel post either at his residence or to the Office of Arms.

2238. Some time in September did you visit Sir Arthur Vivers' house at Saint James's terrace?—Yes.

2239. And did you search through the house?—I did, sir, at his request.

2240. Was it he that asked you to come to the house?—Yes, sir, it was he asked me.

2241. During the course of the search did he express any belief?—He did, sir.

2241. As to how the jewels were stolen?—He said that he believed the jewels were stolen by Shackleton; that Shackleton could have got a wax impression of his keys without much trouble; that he always left the keys in a bunch on his dressing-table when he was taking a bath; that he thought Shackleton also knew that he kept the key of the safe under his pillow in the bed, and that he could also take an impression of that.

2242. **CHAIRMAN**—This key that he said he kept under his pillow, is that the ordinary key that he was?—Yes, that was the key that he was using.

2243. That he was carrying about with him?—The key that he was carrying about with him.

2244. The **Solicitor-General**.—When he spoke of the key that he kept under his pillow, was that the key of the safe or of the strong room?—The key of the safe was under his pillow, and the key of the strong room was on the bunch of keys which he left on the dressing-table while he was taking his bath.

2245. Did he say anything at all to you on that occasion about the second key of the safe, which we understand he kept in his own house?—He did, sir; and on the 28th I had another interview with him in the office upstairs.

2246. The 28th of what?—Of September, a few days after; he then told me that on the 28th June, the King's Birthday, he had occasion to go to the office here to open letters, as the office was closed, and that when leaving his house he could not find the key of the hall-door of the office.

2247. When leaving his own house?—Yes, sir. That he came and got Detective Officer Harr to open the door for him with his key; that he did not find his own key till some time in July, a day or two after Shackleton returned to his house, and that he then found it in its usual place on the dressing-table.

2248. He did not find the key till some time in July?—Till a few days after Shackleton arrived at his house.

2249. You say that conversation took place on the 28th September?—Yes, sir.

2250. Was that the first time on which the statement was made to you, or, to your knowledge, to any of the police?—That was the first time.

2251. Did he indicate at all to you on that occasion on what date he thought the robbery had been committed?—I have no recollection.

examined by the **Solicitor-General**.

2252. Now I want to put this to you, did he tell you when first it was that he came to inspect Shackleton?—He told me that he suspected Shackleton about a fortnight after the robbery being discovered; that Mr. McEnery, of Dunbegne, visited him at the office here and told him (Sir Arthur Vivers) that he was almost certain that the jewels were stolen by Shackleton; that Shackleton was a shady customer in every respect.

2253. That is, Mr. McEnery told him?—Yes, sir.

2254. Do I understand that he conveyed to you that his suspicion of Shackleton arose as the result of that statement of Mr. McEnery?—Yes, sir; he said that was the first time he suspected Shackleton.

2255. Was that, so far as you remember it, the substance of the statement made to you by Sir Arthur Vivers?—Yes, sir.

2256. There is only one other matter I want to ask. In Sir Arthur Vivers' statement of the 12th July, 1907, he states that Mr. McEnery, junior, of Rosseby House, Dunbegne, stayed in his house for one night, on the 2nd July. Do you know as a master of fact whether that is the same Mr. McEnery to whose statement he referred in his conversation with you?—Yes, sir; I believe so.

2257. **Mr. JOHN**.—When you went to search the house, as you told us on the first occasion, didn't he show you the place where the second key of the safe was kept?—He did, sir.

2258. What sort of a place was it?—It was in a book-case; it was concealed a foot or a foot-and-a-half down in the press, under old books and leaves of papers; he said that it was there he kept the key.

2259. And was this thing locked up?—Yes, sir; he said it was locked up.

2260. You saw him unlock it?—Yes, sir.

2261. Did he say anything as to whether Shackleton knew where that key was kept?—He said nobody could know where that key was kept only himself.

2262. **CHAIRMAN**.—It was an underpart of the book-case, was it?—It was, sir; it's a bookcase with shelves in it, and he opened it out, and there were a lot of envelopes and papers, and it was concealed underneath.

2263. Did you ever hear of Mr. McEnery previous to this conversation?—No, sir, I heard nothing about him till I took that statement.

2264. **Mr. STEPHEN**.—Has no statement been made to the police by Mr. McEnery, do you know?—I do not know if a statement was made to Superintendent Lowe, but I think he saw him.

The **Solicitor-General**.—That, to my knowledge, gentleman, was the first occasion on which this gentleman, Mr. McEnery, was mentioned in any statement made by Sir Arthur Vivers except in his own statement of the 12th July, where he spoke of him as having slept in his house on the 2nd July, but in consequence of the statement made by the Commission I ascertained that a communication was made by Mr. McEnery to Mr. Harrel, and if it is desired by the Commission, Mr. Harrel will attend to give evidence.

Mr. STEPHEN.—Is it an important statement?

CHAIRMAN.—If Mr. McEnery knew any facts, that is, apart from suspicion, I think he ought to be a witness here, but if he did not know any facts I don't see what use his evidence would be at all.

The Solicitor-General.—That's precisely the impression I am under. As I understand, he was, so far as I know, absolutely ignorant of the facts, but let there should be any question about it himself I have not the least objection to the statement being got from Mr. Harrel or to Mr. McEnery being called, but beyond mere statements and suggestions, I understand he never conveyed any facts to the police.

CHAIRMAN.—I gather from Sergeant Sheekey's own statement about what Sir Arthur Vicars said, that it was merely speculation on the part of Mr. McEnery arising out of some previous knowledge he had of Shackleton's character, and I don't think that would be evidence in any way.

The Solicitor-General.—So far as I am concerned it should be understood that I am ready, if the Commission want to receive the statement or to see Mr. McEnery, that they should do so. All I know is

that he is a personal friend of Sir Arthur Vicars and slept in his house on the night of the 2nd July.

2565. Mr. SPARKE (to Witness).—What did Sir Arthur Vicars tell you about the key of the safe being on his dressing table when he was taking a bath?—He said that he left his bunch of keys there and that the key of the strong room was attached to that bunch of keys.

2566. Did he keep the latchkey on the same bunch of keys as the strong room key?—I don't know, sir. He could not have done so, when he said he missed it. I think he carried that in his pocket.

2567. It must have been attached to a ring or kept separate?—It was kept separate, I believe.

CHAIRMAN.—Mr. Jones suggests that we might look at the statement of Mr. McEnery, and if we think that there was anything in it we may ask for its production.

The Solicitor-General.—It was not induced to writing.

CHAIRMAN.—I am satisfied; I really think it is of no consequence. I am satisfied that it was mere suspicion.

DEBATE.

JUN. 16, 1925.

Mr. FRANCIS RICHARD
SHACKLETON examined.

The Solicitor-General.—Except in the case of this gentleman and in the case of Mr. Goldney, I had a general idea of the facts that were within the knowledge of every particular witness when he came forward, and on that account, with your permission, you may remember, I stated the more convenient course was that I should put questions for the purpose of eliciting the facts; but on the present occasion, in dealing with this gentleman, I am not in possession of the facts within his knowledge, and I think that, having regard to all the circumstances of the case, the more convenient and proper course would be that he should, at least in the first instance, state to the Commission what he knows concerning this matter. I take it that the Commission would afterwards allow me to ask him any question that might occur to me for the purpose of developing that information. Probably the better course would be that, in the first instance, he should state what he knows concerning the matter?

CHAIRMAN.—Of course, if you do not know what his evidence is.

The Solicitor-General.—He did make a statement to the police; on the 12th July he made certain statements to the police to which I may afterwards refer.

2568. CHAIRMAN.—Mr. Shackleton, when did you first become connected with this office?—About October, 1903.

2569. What was the office that you then occupied?—Assistant Secretary.

2570. To Sir Arthur Vicars?—To the Office of Arms.

2571. Who appointed you to that office?—Sir Arthur Vicars.

2572. Had Sir Arthur Vicars any previous acquaintance with you?—I only knew him, I think, mostly by letter, not more than a year or two before, through writing on heraldic matters and genealogy. I met him and he was interested to find that I knew a considerable amount of genealogy. I may tell you that I had been trying to get into the Herald's College in England, and gradually, I think, it was suggested that I might come on as unpaid secretary in order to learn as much as possible. My name had been put down at the Herald's College.

2573. As Assistant Secretary to Sir Arthur Vicars you were not paid?—Not to Sir Arthur Vicars, but to the Office of Arms—Assistant Secretary to the Office of Arms.

2574. You were not paid?—I was not paid.

2575. When did you come into residence?—When I became Dublin Herald.

2576. When you were appointed Assistant Secretary did you come over to Dublin?—I came over to Dublin and I was in rooms here.

2577. At what time?—I think in October, 1903.

2578. Just when you were appointed?—Yes.

2579. Did you remain in the office?—Yes; I was here over a year, the year 1903, except about a fortnight. I was in Dublin—in Richmond Barracks and in the Royal Barracks and in Ship-street Barracks.

I was an officer of the Militia, and my Militia was then embodied and I was serving as a temporary line officer.

2580. What was your regiment?—The third battalion Royal Irish Fusiliers, Ardsagh Militia.

2581. Which was occupying barracks in Dublin being then embodied?—Yes.

2582. And you lived in barracks?—Yes.

2583. As an officer of Militia?—Yes, from May 1903.

2584. And during that time you were going backwards and forwards to the office?—Yes; I was backwards and forwards to the office.

2585. And doing work here?—Yes, that is to say, on alterations.

2586. After 1903 did you still continue?—No; I went out to South Africa in 1903, I think the end of January.

2587. How long were you there?—I was there till about the end of September of the same year; I was invalided home again.

2588. Was your Militia Regiment out there?—No; I was out alone; I was invalided, on special service.

2589. When did you come back from South Africa?—In September, 1903.

2590. When you came back from South Africa in September, 1903, did you return to your work in this office?—No, I went down to Devonshire; I was invalided. I don't think I came to the office till the first visit of the King. I forgot the date it was.

2591. Mr. SPARKE.—1903, I think?—I must have been back here before that; I may have been back before that, but I rather fancy the letter book would tell that.

2592. **CHAIRMAN.**—When you came back, that was not in connection with the King's visit?—Well, I remember, especially coming over for that visit, so that is why I think I might have been at home.

2593. Did you take any part in it?—I was a Gold Staff officer on the occasion of the visit.

2594. How long did you remain at that time?—Well, I rather felt it was only a matter of a few days, but I could not say distinctly now. I could trace it of course.

2595. It must have been a short time at any rate?—It was a short time, certainly, and what makes me think it was short is that I remember getting a telegram.

2596. After that, when was your next visit to Ireland?—I do not remember at all.

2597. In 1903? Was that July?—That was 1903. I could swear. I really do not remember. I am very sorry. I have been travelling for three days and three nights, and am rather tired.

2598. Did you come back to Dublin in a short time afterwards?—Yes, I imagine so. I am sure I must have been backwards and forwards.

2599. Do you remember when the Office of Arms was transferred to this building?—I think it was very much about that time, about the date of the King's visit, some time in 1903, I think. I know the King's

DUBLIN.
JAN. 16, 1926.

that was when the office was in the Lower Castle Yard. I remember using the back staircase, the Private Entrée staircase to the State apartments, in and out at intervals, and seeing him daily.

2600. When you came back did you find the offices removed to this building?—On one occasion of my returning to Dublin I learnt that during my absence the transfer of this office had taken place, but whether it was immediately after the King's visit I cannot remember.

2601. When did you stay in Dublin when you came back on that occasion?—I do not know. I might have stayed with friends of mine who lived in Terenure.

2602. You do not remember?—No, I do not remember.

2603. Can you tell us at what date you took up your residence in St. James's-street with Sir Arthur Vicars?—The house was taken on July or August, 1925. I do not think the move was made till September or the end of August, when I came here, I think, two days, and the house was not ready. It might have been for a week. I do not remember.

2604. You took up your residence then in the house with Sir Arthur Vicars?—I did, then.

2605. And after that, may I take it, that when you came to Dublin you resided there?—Yes.

2606. And were you in constant residence?—No, I do not suppose that I spent more than about two months and two weeks during the whole two years all put together. I think I was up to a fortnight there during the last year.

2607. What was the arrangement between you and Sir Arthur Vicars?—The arrangement between Sir Arthur Vicars and myself was this—I paid half the rent, rates, and taxes, half the servants' wages, board, and ordinary wages, half the washing of all the household things, everything in the house with the exception of Sir Arthur Vicars' personal washing; that is to say the clothes that he wore. The sheets and everything like that also went into my bill. I paid half the coal bill, and half the food for the period that I was in the house. The servants' wages on board wages, but when I came to stop in the house the arrangement was that I should pay half the food of the period, and to make certain that I was not using separate food that had been bought the day before I arrived, I always counted half of the day previous to my arrival, allowing for the day after I left.

2608. I understand. You paid half of all the expenses of the house!—Except of the food that was eaten in my absence. I paid for the whole of the upkeep of the garden, and the planting and laying out. I paid for half of all the repairs in the house, and alterations of grates, and things like that. And I took the half of everything.

2609. That seems to have been a very favourable arrangement at any rate for Sir Arthur Vicars. You say you occupied the place for about two months?—I may be wrong. It may be three months in the first year, but it was not more than a fortnight in the second year. I do not think it was three months in the first.

2610. May I ask you, Mr. Shackleton, are you well off?—Well, it depends on what you call well off. I have enough means to live on.

2611. Mr. Shackleton.—Were you paying for accommodation elsewhere at that time?—Do you mean that I borrowed money?

2612. No; were you paying for accommodation in the way of rent?—Yes, I had a flat in Park-lane.

2613. Chairman.—While you were living in the house you were well acquainted with Sir Arthur Vicars' habits?—Yes, I was well acquainted with them.

2614. Did you know the arrangements, how he kept his belongings?—Yes.

2615. Had you a key for the door of the office?—No, I only got twice in my life, the key of the door of the office, that is when Sir Arthur Vicars let me go in on a Friday to get my own letters.

2616. What was the date of that?—It would have been in 1925-1926.

2617. And what was the occasion?—Just to get letters.

2618. In 1926?—Yes.

2619. Had you ever a key of the strong room?—Never.

2620. Or of the safe?—Never.

2621. Had you ever a latch-key of the outer door, or a key of the strong room, or a key of the safe at any time in your possession?—Never of strong room or the safe. I never had a key of the outer door except, perhaps, on a Sunday, when I came in for important letters from London. I might have had it on a Bank Holiday, when Sir Arthur Vicars wanted me to go in and get letters, and I used to drop the key into the letter-box when I left. It might have been the office messenger's key I had, not Sir Arthur Vicars'. I am not quite clear on that point.

2622. You mean Sirver's key?—Yes, sir.

2623. You know Sirver?—Yes.

2624. Would it be true if it were suggested that at any time you had a latch-key of the outer door in your possession for several weeks?—From the night of Saturday to the morning of Sunday, when I came for letters.—That, I should say, would be the longest period.

2625. You got a key from Sir Arthur Vicars on Saturday night?—Or it may have been the office messenger's key. I may have got on the Saturday night, because I recollect having dropped it into the letter-box when I was going away. I was to shut the door and I was to drop it into the letter-box.

2626. How then could the messenger get in?—Because the office cleaner, Mrs. Farrell would be here before him.

2627. How often would you come to the office while you were residing in Dublin?—Every day if I were residing in Dublin.

2628. When you came here you found the outer door open?—Well, occasionally I have had to wait a few minutes because the cleaner had gone and the office messenger had not arrived, and occasionally I had to wait on the door-step, because I was always the first of the officials to arrive.

2629. Had you ever occasion to go to the strong room while you were working in the office?—Frequently.

2630. You had not a key of the strong room?—No, I had not a key of the strong room.

2631. How had you access to it?—The strong room was always open the whole day long, more or less, with the exception of the periods when the office messenger went out.

2632. And you walked in there?—I walked in there.

2633. And what about the grill?—If the grill was not wide open—of course it constitutes part of the strong room, which was always open—the key would be hanging in the grill, which is as good as calling it always open. I had absolute access to it even when the messenger was out. All I had to do was to go to the drawer in the table just outside here where the office messenger sat and take the key from the drawer, and open the strong room and go in.

2634. And had you ever access to the safe?—Never.

2635. Were you ever aided by Sir Arthur Vicars to go to the safe on any occasion?—Never.

2636. He never gave you the key of the safe?—Never. I thought, on one occasion that I had charge of the key of the safe, and I was in great terror, because when he was away once I had the key of the key-box, I thought that a key in the small key-box—it was not a key-box, it was a black despatch box—this was in the Lower Castle Yard, and in that box were kept various papers, confirmations waiting to be finished, things like that, and the office keys. There were keys which I thought were the keys of the safe in that box. I had been given the key of the despatch box to hold so as to be able to open the premises when we were in the Lower Castle Yard, and at the time I imagined that the key of the safe was there, but I am told it was not.

2637. Do you mean that the key of the despatch box also opened the premises?—No. The keys were contained in the box, the key of which box I had while days in my charge together, and I wore it on a piece of string round my neck because I believed at the time that some of the keys on the bunch contained in the box, the key of which I had, were two

keys of the safe; but I am told they were never in that box. I want to convey that I did think that I had charge of the safe key once, and I said so to Sir Arthur Vickers, and he said: "No, you never had charge," and I said: "Were not you at that box when I had the key of it?" and he said: "Never. You might have thought that they were, but, never." I did not know the key of the safe at that time.

2633. Now I am going to ask you some questions which I only ask you in consequence of statements which were made here, and you need not answer them unless you like. Were you in monetary difficulties in 1907?—Yes. Well, I had been for two years, I may say, in difficulties; that is to say my difficulties could easily have been relieved had I chosen to go to my family and tell them; but the various reasons I did not care to do so, and I borrowed money, not from my banker, but from a money-lender. You may ask any question you like, but I understand it was merely in relation to Sir Arthur Vickers and the custody of the keys that I was to come here. But I am quite prepared to answer any question.

2634. Had you monetary transactions with Sir Arthur Vickers?—I had, sir. Sir Arthur Vickers guaranteed two bills for £60.

2640. What were those bills—you need not tell us unless you like—what were the dates of those bills, and what were the sums?—The sums were—one was for £650. None of this will appear in the Press?

2641. This will be taken down.—But I do not mind a bit so long as it does not appear in the Press. It would be very unpleasant to me if those things came out.

2642. I must warn you before you go any further that what you are saying now is being taken down by the shorthand-writer; it will be printed, and it may be published.—Then I consider that I should have been told of this beforehand. I do not mean it disrespectfully, but I think it is rather unfair that I should have been allowed to make these statements, because it is a serious matter in business.

2643. But you were told that you need not answer?—I was given to understand that the investigation was private. It has been stated in the papers that it is private.

2644. It is private in this sense, that the public are not present here; but the evidence is being taken down, and will be printed, and may be published!—Then I think that that statement should have been given to me before. My reason is this, that it would be very injurious to me in business were it known that at a period when I was engaged in a rather hasty business transaction I was absolutely in monetary difficulties to any extent.

2645. Mr. JONES.—This statement has been made by other witnesses, and therefore it is already done!—Thank you very much. I have not been told fully. The first intimation I got of this Commission was last Saturday, at San Remo, that it was to take place tomorrow, Friday, and therewith I wired to know if my evidence was required. I had not received your summons to attend. It was not posted from London till the 10th of January, and did not reach San Remo till Monday, the 12th, and I wired to Sir James Doherty to know if I should attend. Is not that true?

2646. Sir James DOHERTY.—Quite true. Writing—and I wired directly after I got your letter, which was sent on from my London club.

2647. CHAIRMAN.—I told you the reason I was asking these questions was not from any idle curiosity of our own, but because statements had been already made to me, and I wished you to have a full opportunity of telling us the facts!—Thank you, sir. Then may I continue? I think the master was 2633, and I think 2630, the £750 at a later date.

2648. What was the date, you say, of the £750?—It would have been some time in 1906, I imagine towards the middle of 1906.

2649. Have you any idea of when those bills came due?—One became due at the end of August, and the last instalment of the £650 bill was paid, I think, at the end of August. I am not a bit clear, but I could easily trace it for you.

2650. At the end of August, 1907?—At the end of August, 1907.

2651. I understand Sir Arthur Vickers was in these bills as your security!—As my security.

2652. Had you any counter security to give him?—On, certainly I could give a counter security.

2653. Did you? Had he any security?—He had none at the time.

2654. So that he was taking upon himself this obligation to you without any counter security of any kind?—Well, I would not exactly say that. Well, strictly speaking he had no other security. I gave him no other security.

2655. Can you tell us now in whose hands those bills were?—With Messrs. Wilson and Co., of 199 Piccadilly.

2656. What was their profession?—Professional money-lenders and bill discounters; and also Wolff and Hollander, in Tottenham Court Road.

2657. Were they also money-lenders?—No; furnishing men.

2658. At the same time that you had these necessary transactions with Sir Arthur Vickers had you also transactions with Mr. Goldfinch?—Yes; Mr. Goldfinch guaranteed a bill for me to them money-lenders.

2659. Wilson and Co.?—Yes.

2660. What was the amount of that?—£1,500.

2661. Mr. JONES.—Did Sir Arthur Vickers have any of the money of these two bills?—£100 in the last bill of 1907. The bill was set to lag. It was a renewed bill with an increase of £350. The £650 bill was renewed, I think, in July last, about the 15th of last July, for £750; £100 of it was for Sir Arthur Vickers.

2662. CHAIRMAN.—Was that the consideration for his backing the bill for you?—I do not know what it was. I do not know what was in his mind.

2663. He got the additional £100 when it was renewed?—Yes.

2664. Mr. STEARNE.—Who proposed that the renewal should be for £750?—I did. Sir Arthur Vickers wanted me to borrow money for him at the time, and I did not want to do so. I could have paid that bill there and then, but it would have meant my selling stocks and shares I held at a very big sacrifice at the moment, and I preferred not to do so, partly because the selling of these stocks would be known to several people when I did not wish to know that I was in difficulties. I may mention at the outset, in defense of myself, that the first bill which Goldfinch backed I never had a penny of. It was to save a friend of mine from being made bankrupt.

2665. CHAIRMAN.—What was that?—The first bill was £1,500.

2666. When was that?—The matter extended for two years, and it was renewed again.

2667.8. And it would run into 1906?—No; it would run into January, 1906. I do not want to give the gentleman's name, because he is now in a very important position, but I can prove it if necessary, and his solicitor will. I do not know his official residence now.

2668. Was that £1,500, the original sum, carried on?—It was carried on, and amounted to £1,500.

2669. It gradually grew to £1,500?—It gradually grew to £3,500.

2670. What was the date of the £1,500 bill?—I think it must have been May or so of 1906.

2671. What was the date?—That was the date the first time.

2672. When was it due?—It was not due, I think, till the end of 1907.

2673. That was also payable by instalments!—By instalments, all of which I kept paying up.

2674. Can you give me any idea did you get the full amount of these bills?—No, sir, I did not. I was paying heavy interest. It worked out to 50 per cent. I should say. It was not done like that. I was paying 10 per cent, and I paid so much additional. It worked out, I should say, 50 per cent. They charge for certain things; they put it in such a way, discreet and so much. It would work out 50 per cent.

2675. So that you were paying 50 per cent for this accommodation?—Yes, sir.

2676. When were those bills ultimately settled?—I fancy in September, 1907. I could get the exact

DURRUM.

JAN. 15, 1908.

DREWS.
Jan. 16, 1908.

dates. There is a letter which would convey fully to you the date. (Written based on the following letter):—

Abbot's Barton,
Canterbury,

28th August, 1907.

My dear E.,

Frank tells me you are going to fix up everything for him and see on Tuesday or one day this week.

This being so I am giving Frank a sum of £250 to give you from me through his solicitor, Sir George Lewis, in payment of the sums you advanced to me for changing house and for additional expenses for our joint house and household, etc.

I note you claim £300, but as there are already outstanding amounts due from you on our joint accounts, which Seymour, as you know, kindly promised to go into with us on my return next month, I think it will be quite fair for me to pay you the balance when I can send you a full statement of account, and whatever sum is owing to you I shall send you a cheque for, and if it is the other way on I know you will send me one.

Our accounts are so mixed that I really do not know how they stand between us.

Sir George Lewis will have the £250 when you hand over to him the two cancelled bills of £300 and £750.

Now, that you evidently knew the whereabouts of the jewels, from what you have said to both Frank and me, I hope that you have told Mr. Kane everything calculated to facilitate matters.

Please write here, as I am staying on here for a little rest.

Who have you been staying with at Bembridge? You rush about so, it is difficult to know your address.

My brother Harry has gone to Brighton for a day or two, but will be back in London this week in case you want to see him.

Yours in haste,

A. VICKERS, U.E.

2879. This is from Mr. Goldney's house!—From Sir Arthur Vickers.

2880. I see he was staying with Mr. Goldney at this time, at his friend's house!—I imagine so.

2881. I suppose you know that is Mr. Goldney's house!—Yes; I have stayed there.

2882. And "Frank," I suppose, is Mr. Goldney!—Mr. Bennett-Goldney.

2883. I must ask you again about those two bills of £300 and £750, were they both outstanding at the same time?—There was about £150 on one bill, the last instalment.

2884. On the £600 bill, when it was settled?—There was only £350 due on it when it was settled, there was £150 due on the bill. I paid the instalment. There was one instalment of £150 due when it was settled. The other had only just been renewed for a year.

2885. The £150 that you say you settled, was it put into the new bill?—No, sir, I paid it in cash; I paid them all in cash.

2886. And then the £600 was entirely paid?—Yes, certainly paid off—£600.

2887. And then the new bill was one for £750?—No; at one time there were two bills that were running.

2888. That is what I want to know; were those two bills running simultaneously?—They were.

2889. MR. STANKE.—I understand you to say that the £750 was a renewal of the £600?—No; it was a renewal of the second bill, only on a later date—a three month's bill.

2890. CHAIRMAN.—Now, you have handed in this letter from Sir Arthur Vickers. I must call your attention to this part of the letter:—"Now, that you evidently know the whereabouts of the jewels, from what you have said to both Frank and me, I hope that you have told Mr. Kane everything calculated to facilitate matters." What does that refer to?—It refers to a letter from me to Sir Arthur Vickers reproaching him for not having told me the jewels were found. I was staying at Harrogate, I think, on that date, and a visitor came up to me and said, holding a paper in his hand, "Mr. Shackleton, the jewels have been found," or, "they say the jewels have been found," and I wrote to Sir Arthur Vickers reproaching

him for not having told me that they were found. I wrote to Mr. Pierce Mahony, the Cork Herald, in the same strain and he wrote back to say that it was only a newspaper rumour. That is exactly what happened.

2891. And it was on your writing to Sir Arthur Vickers to congratulate him!—I did not write to congratulate him, I wrote rather angrily that I had not been told that the jewels were recovered.

2892. And upon that he said, "You evidently know the whereabouts of the jewels?"—Yes, because Mr. Goldney went to Scotland Yard after I had seen him and told them there that I knew where they were. I had not met Mr. Goldney at the Club and I said, "Why didn't you tell me the jewels were recovered," and he said, "Are they?" and I said, "Yes," and he said, "I never heard of it," and he said, "Are you sure?" and I said, "Yes," and I said "I had it as good authority." I think it was Sir Patrick Coll, who was Law Officer of the Crown at one period. He was staying at the Crown Hotel in Harrogate, and he called my attention to it and the matter was discussed. His son, who was also there, told me later that I was suspected of having taken the jewels, which, unfortunately, I have been by Sir Arthur Vickers and by Mr. Goldney. They have left no stone unturned to support such.

2893. Now, listen again to this and say do you still adhere to the statement that it referred to something in a letter from you?—Now, that you evidently know the whereabouts of the jewels, from what you have said to both Frank and me?—I don't think I saw Sir Arthur Vickers at that time. I think I wrote to Sir Arthur Vickers at Canterbury, and saw Mr. Goldney in the Club. In fact, I am certain of that, for this reason, that Mr. Goldney, the day that I saw Mr. Goldney and made that remark to him, I had a letter of his asking—No, I don't think I had; now I am wrong; I am mistaken. I think Sir Arthur Vickers and Goldney were in London at one and the same time and I think it was to Sir Arthur Vickers I wrote it.

2894. Then he says, "I hope you have told Mr. Kane everything?"—Yes.

2895. Had you an interview with Inspector Lowe?—I had many interviews with Mr. Kane, and I told him absolutely everything I could possibly think of to facilitate matters from the first day that I left here. I came over here on the 8th July—Monday, the 8th of July. I had seen Mr. Kane at Scotland Yard on the afternoon of the 8th, having read in the paper for the first time of the loss of the jewels.

2896. He was in the office here then?—On the 8th of July he was in London, at Scotland Yard, I saw him in Scotland Yard and brought to him a copy of the Statutes of the Order of St. Patrick, thinking that they might be able to make blocks of the drawings. I had wired to Sir Arthur Vickers about the loss of the jewels and he wired back, "Yes, and his mother's also," and asked me to bring to Scotland Yard copies of the Statutes of the Order of St. Patrick, which I did. I crossed that night to Dublin and was in Dublin on Tuesday morning at 7, St. James's-tearoom. I went back, I believe, the same week, or in about a week's time.

2897. You stayed in St. James's-tearoom?—In St. James's-tearoom.

2898. For a week after?—For about a week after.

2899. After the 8th?—Inspector Lowe, who is here, has my statement as regards the period; I am not quite sure of the date, but I stayed for a short time.

2900. Can you tell us when you had last been in Dublin before that?—Yes, the 8th of June, I think.

2901. Did you leave Dublin on the 8th of June?—Yes, I think so. I could find out for a certainty, because I was at St. Anne's, Clarendon, whatever was the date of that Garden Party, I was there. (To Sir John Rose)—You were there, Sir John Rose, at St. Anne's, Clarendon, at the Garden Party that day?

2902. You left on the 8th June?—Yes.

2903. Were you ever back again in Dublin till July?—No, not till the morning of the 9th. (To Sir John Rose)—Can you recollect the date of Lady Ardilaun's Garden Party, Sir John?

2904. Sir John Rose.—No, I do not remember.

2905. I know I crossed that night in the same boat with Lady Ardilaun. She was going to her sister, who was dying. It was on the 6th or 7th of June. I left Dublin on the 6th or 7th of June. I returned to Dublin afterwards, crossing from London on the night of the 8th of July.

2906. Did you ever come to Dublin after you became

co-tenant with Sir Arthur Vivers of this house when you didn't stay at his house?—Never.

2705. Did you ever stay at the London and North-Western Hotel at North Wall?—Never.

2706. If it was suggested here that after you left early in June you might have come here to Dublin and stayed at the North Wall and not gone to Sir Arthur Vivers at all that time, would it be true?—It would not be true, sir. Can you give me a hint—a few days, or a week, or for what period you absolutely want my movements?

2707. I think the suggestion that was thrown out was that you might have come back to Dublin between the 7th of June, or whatever the time was, when you left on that occasion, and the date of your coming back in July, that you might have come back to Dublin and stayed at the North Wall?—Well, sir, I never did. But I think I could trace all my movements, because the London Clubs are in the habit of noting whenever a member is in the house; it is down in the day-book, and I could trace it from that; but I have reason to believe that that has already been done by Scotland Yard and verified, I know, from the 4th of July. May I have that letter from Sir Arthur Vivers?

CHIEFEX.—That whole letter from Sir Arthur Vivers to this gentleman should go on the notes.

2708. The Solicitor-General.—It is most desirable that it should go on the notes; I think it is most desirable!—In this case I think it is better to show the whole correspondence on business matters between Sir Arthur Vivers and myself, and if there is any question as to these I will give every date I have got.

2709. CHIEFEX.—Now, about the money matters, Sir George Lewis had this money in his hands; was this paid in August, 1807?—Yes, it was paid; that is, my money.

2710. But you were to hand him back two cancelled bills for £2500 and £750?—Yes.

2711. Now, who paid that money?—I paid that money.

2712. Was it your own money?—It was my own money absolutely. I don't know the exact date, but I sold a good many shares I had. I cannot trace exactly the date. It was my own money, certainly.

2713. If Sir Arthur Vivers had got part of the money out of these bills, why did you pay the whole?—Well, the state of the matter was that I borrowed money for Sir Arthur Vivers with the idea of helping him, and in addition to the sum he had before. I didn't want to come down on him any more than I could help. They said I must pay the bills up and I said I must sell more shares at a loss, and I must ask you to pay me back the £300 you owe me.

2714. Did that include the £100 that he had got out of the bill?—That included the £100; the other £200 were totally different matters.

2715. It was stated here that considerable pressure had been brought to bear upon you by Sir George Lewis?—Absolutely none. I had extreme difficulty in getting my money from Sir George Lewis.

2716. I see Sir Arthur Vivers says:—"Sir George Lewis will hand you the £2500 when you hand over to him the two cancelled bills of £2500 and £750?"—I did. I handed them over then but I didn't get the money. They wanted me to sign that I had no claim on Sir Arthur Vivers. Does that letter say that he is retaining any money for household accounts?

2717. CHIEFEX.—This letter says this:—"Frank tells me you are going to fix up everything for him and me. . . . This being so I am giving Frank a sum of £2500 to give you from me through his solicitor, Sir George Lewis, in payment of the sums you advanced to me for changing house and for additional expenses for our joint house and household, &c. I note you claim £300, but as there are sundry outstanding accounts due from you on our joint accounts which Seymour, as you know, kindly promised to go into with me on my return next month." Who is Seymour?—A mutual friend.

2718. The letter goes on:—"I think it will be quite fair for me to pay you the balance when I can send you a full statement of account, and whatever sum is owing to you I shall send you a cheque for, and if it is in the other way as I know you will send me one. Our accounts are so mixed up that I really do not know how they stand between

me. Sir George Lewis will hand you the £2500 when you hand over to him the two cancelled bills of £2500 and £750." You say that you did hand over the bills?—I did, and I had to wait at least a week. I had several letters on the subject, and they asked me to sign a full discharge of any liability for further claims on Sir Arthur Vivers, which I refused to do.

2719. Now, assuming that you are going to put in these other letters, which I think it would be well to reserve till the end of the evidence, do you tell me this, that you came over on the evening of the 8th, or the morning of the 9th July?—I crossed on the evening of the 8th, and arrived in the morning.

2720. And went to St. James's Terrace?—Yes.

2721. Whom did you find there?—Mr. Bennett Goldring and Sir Arthur Vivers.

2722. And did you breakfast with them that morning?—Mr. Goldring and I had breakfast together and came straight on here to be here at half-past nine to meet the authorities who were coming to investigate the loss.

2723. And had Sir Arthur Vivers breakfast with you?—No; he was in bed.

2724. Had you any conversation with Sir Arthur Vivers and Mr. Goldring that morning?—I had, because we were in the habit of walking into one another's rooms and talking while we dressed.

2725. There was a considerable amount of conversation about the loss of the jewels?—Naturally so, sir.

2726. Did you tell them that you had crossed over in the boat with a lady with whom you had some conversation about the jewels?—Yes, the Marchioness of Ormonde.

2727. Did you tell them that the lady, whoever she was, said how strange a thing it was that you were telling her at lunch the other day that you would not be surprised to wake any morning and find the Crown jewels were stolen?—What she said to me was—my sleeping carriage was next hers—and when I came along she said, "Oh, Mr. Shackleton, how extraordinary; poor Sir Arthur Vivers, I am sorry for him; isn't it an odd thing—Constance and I were just talking—we were just saying how odd it was, that remark of yours, at lunch the other day." My remark was, "I think, on the 4th of July, at lunch at Lady Ormonde's in Upper Brook-street, and the conversation turned on Sir Arthur Vivers, and some remark was made about Sir Arthur Vivers—some passing remark I think about his being fussy, or something like that, was said by somebody present—and I said 'But he has a great deal of responsibility, and he is very proud of his office,' and some remark like that, which Lady Ormonde backed me up in, and then it got into talk of the jewels, and I said, "Oh, I should never be surprised to hear that they were stolen some day." I never considered they were safe.

2728. You say that was on the 4th of July?—About the 4th of July, and afterwards Rear-Admiral Tudor told me that he made the same remark to Lady Mayo, that he didn't think they were safe. I met him in Shropshire in September, and in talking to him I told him that I made the remark, which was very unfortunate for me, because it was taken up by many people; I told the story against myself, and in a sort of innocence of the thing; I said it in the most innocent way, and the very remark of itself proves that, but it has been talked about, and I happened to mention it to Rear-Admiral Tudor and he made the remark, "I said that very thing to Lady Mayo."

2729. Why do you think the jewels were unsafe?—Well, for many reasons. I considered there were too many keys of the door.

2730. Of what door?—Of this outer door. Another thing that I considered was so dangerous was the fact that there is a skylight upstairs, and nearly the whole Castle communicates by the roofs with their skylights, which I have frequently seen open in the summer time. I considered nothing could be easier also than for a person to enter the premises in broad daylight when the office messenger might be for some time upstairs with Sir Arthur Vivers, and hide himself in the cellars all day long and come out again at night and take whatever he wanted and the next day walk out safely past the sentry, because people were in the habit of walking in

DEBATES.
JULY 16, 1894.

DUBLIN.
Jan 16, 1916.

through this door without ringing the bell. I have often walked in here and the other messenger was up with Sir Arthur Vicars, and I have walked in and taken the key out of the grill. I have often done it pretending that I had something to do, when I saw people that I didn't know in the office.

2732. You formed the idea that the jewels were unsafe from the condition of the office?—Not the jewels particularly, but the whole place. I spoke of the jewels on that occasion; I mentioned them specially because they were the subject under discussion. People walked in here when the grill was wide open, and I have gone to the office messenger and told him to shut the door in case he had to go up. There have been people heaps of times in and out this office, and I was never satisfied with anything.

2733. How did it occur to you that anybody could get access to the safe in which the jewels were?—Only by using a duplicate key. The use of a dummy key never occurred to me for a moment. My idea was that the burglar could secure himself and by the light outside he could have sufficient light to work in here with any instrument to open the safe. That was my idea. It was only in a very general way. I am now bringing it down to a narrow point. The idea of a duplicate key, or the identical key never entered my head. But the condition in which the lock appeared when I saw it taken to pieces on the morning of the 9th July, 1905, showed me that it must have been the most perfect duplicate of the original key.

2734. Had you yourself access any time to the keys in Sir Arthur Vicars' house?—I might have access to this extent, but I have never had occasion to use them. Certainly I could have gone into his room when he was in the bath and taken these keys. I think he did not take them into the bathroom, and when I have gone in to speak to him, when he was in bed, they were under his pillow, and I could have, very easily, had I so wished, gone to his room and taken an impression of the key or taken the original key off if I had known it, and walked away with that key and replaced it quite easily if necessary, because I was in and out, taking up. I don't say that I was always going into his room, because he used to grumble that I got up so early. He said that I was like a Domgael peasant getting up at cock-crow; but I used to go to bed early, which was one of his grievances because he had no companion.

2735. And the keys were there for you to take possession in the way you say?—I could easily have taken possession of them.

2736. Could you have taken possession of the keys and made wax impressions of them, or other impressions?—I could, easily.

2737. During the time he was in his bath?—If I knew how to do so, quite easily. I could have taken it and kept it for a week and put a key almost like it on the chain trusting to his never having occasion to go to the safe for another week or so. Anyone could have done that. When I say myself, you asked me if I could and I said I could, being in the house. That refers to any inmate of the house. I don't want to pile up a case against myself, but it would be quite easy for me to do so.

2738. Do you remember any incident at the time when you were in his house when he could not find his latch-key in the house, the latch-key of the outer door?—No, I do not recollect that.

2739. It was stated here this morning that Sir Arthur Vicars made a statement on a day, I think it was the King's birthday, the 28th June, Sir Arthur Vicars came down to the office and the office was closed, as it was a holiday, and that he had been looking for his latch-key in his own house for the purpose of coming down here to open the door, and that the latch-key could not be found!—What year was this?

2740. This was in 1907?—I was not in Ireland on the 28th June.

2741. He said he could not find the key of his office in his own house, and he had to get a key from the detective to open the door, and he never found that latch-key till July, when you returned, and when you returned to Dublin he found the key left on his dressing-table, just where it had been when it was taken?—The key of his office!

2742. No, of the outer door; did you take that latch-key?—I did not, sir, at any time. This is the first I have heard of it.

2743. Or have you ever had it in your possession?—I have already stated—

2744. But I mean for several days or a week?—as I have already stated previously in this investigation, the longest period that I have ever had the key would be perhaps from Saturday night to Sunday morning, certainly never for weeks. I believe I am correct in stating that I never had the key longer than that.

2745. There is no truth in the suggestion—because that undoubtedly is the suggestion—that you took possession of this key on or before the 28th of June and did not return it till you came back on the 9th July?—Absolutely untrue, and this is the first I heard of it. I am quite willing to give any evidence I possibly can. I understood this Commission was, not to find the thief, but was to find whether Sir Arthur Vicars had exercised proper care of the jewels.

2746. Yes, but Sir Arthur Vicars' custody of the keys is a very important element in that?—All right, sir. But still it is only right for myself that I should have a chance of having it stated. I am perfectly willing to swear that I never took it.

2747. As far as I am concerned your statement is just as valuable as your oath?—Well, that is my statement.

2748. Did you know the key of the safe—is its appearance?—No; I did not know its appearance till the morning I came here, on the opening of the lock.

2749. How did you know that the key was kept under Sir Arthur Vicars' pillow?—Because I often saw the bunch of keys half lying out, and I assume that the key was on that chain because he stated it. I always understood it was on it because he was so anxious about this bunch of keys.

2750. Did you know that there was a second key for the safe?—No, never; not till after the loss of the jewels, when I heard that there was a second key hidden somewhere in the house, which Sir Arthur Vicars had hidden so well that he could not find it himself.

2751. And that was the first you heard of the second key?—I had no idea that there was a duplicate key in the house or in existence.

2752. Mr. STAKER.—Did you know where Sir Arthur Vicars kept the key of the strong room?—I do not know where he kept it; I do not know where it was kept; I am not sure he had a key of the strong room; I thought the office messenger had it.

2753. Did you know how many keys there were?—No I didn't, and I do not even know now. I do not know even that Sir Arthur Vicars took the strong room key back with him. I knew nothing about the custody of the keys.

2754. CHAIRMAN.—I think, Mr. Sefton, that I have asked all that we require. Perhaps you may have some questions to ask him.

The Witness, addressing the Solicitor-General—Are you part of the Commission?

The Solicitor-General—I am representing the Government in the matter.

Witness.—You are part of the Commission?

The Solicitor-General.—Not a part of the Commission.

CHAIRMAN.—The Solicitor-General is here representing His Excellency and the Irish Government, who are, of course, interested in finding out all about this matter.

2755. The Solicitor-General.—Kindly tell me, Mr. Sefton, when first you heard of the holding of the present Commission?—Saturday night; well, I had a cutting sent to me that there was going to be a Commission tomorrow, that is, Friday. The paper stated that it would be on Friday week, a paper of about Thursday last, stating that the Commission would be held probably on the Friday of the following week. That was the first I heard of it. Then I saw a further account of it next day, that it was on Friday. I wired on Saturday to know would my evidence be required.

2756. Were you at San Remo?—Yes, and on the Monday following I was at Nice for the day, and when I came in I received this envelope, which was posted on Friday and arrived at San Remo on 12th, and delivered at the hotel during the daytime on Monday; but I had gone by an early train to Nice,

and I had finished reading this when I got a telegram in answer to mine, from Sir James Dougherty. This notice had been handed in at my club in London.

2757. Then, as I understand, you have come direct from San Remo here?—Yes; I started on Tuesday; at 4 o'clock on Tuesday morning.

2758. And here you travelled continuously to Dublin?—Yes; I arrived in Paris at half-past five and left by the 9 o'clock train for London, arriving in London at half-past five, and took the Irish Mail and arrived here this morning.

2759. Now, you told the Commissioners what your arrangements were as regards the house in St. James's terrace, Clonskeagh?—Yes.

2760. Have you continued that arrangement as regards the payment of the wages of servants, or when was that discontinued?—It was discontinued at the request of Sir Arthur Vivers and his family. It was really first written to me by Major Vivers asking me, as writer had been served at the house.

2761. But what was the date of it?—It was some time in August, the final break-up; it was to release me of my payment of half the rent.

2762. Who wrote served at the house against you?—They were against me. I do not know the exact position at the present moment. I am still paying my share of the rent, because the owner of the house wrote to me to state that she could not get money from Sir Arthur Vivers, and therefore I must still hold to my original lease. I paid my share of the last three quarters. My half was due some time ago.

2763. You have told us that to the best of your recollection you left Ireland on the 7th June, 1907?—Yes, to the best of my recollection.

2764. That was the afternoon of Lady Ardilaun's garden party?—Yes; that is the only way I can fix it.

2765. It was on that day?—It was on that day, because she crossed over the same night.

2766. You crossed in the boat with Lady Ardilaun?—Yes.

2767. That was the last occasion prior to the discovery of the robbery?—Yes, sir.

2768. You are a member, as I understand, of at least one London club?—Yes, I am.

2769. And were you in London continuously from the 7th or 8th of June till you came to Dublin here on the morning of the 8th July?—I was also at Penshurst, in Kent.

2770. For what period were you there?—I was certainly there for the week-end of the 6th to the 8th.

2771. What month?—July—the week-end—because I was coming up in the train with the owner of the house, my friend Lord Ronald Sutherland Gower, who first saw it in the paper and called my attention to it. I think on one week end before that the Duke of Argyll was there also. I remember coming up certainly with the Duke of Argyll one Monday in July.

2772. But except for those two week-end visits were you continuously in London from your arrival there on the 8th of June?—Yes, unless I went down to my house in Devonshire. I do not think I was down there.

2773. Till you came back to Dublin after the discovery of the robbery?—After the discovery of the robbery.

2774. During that time did you visit your club day by day?—If I was in London I would do so, at least once of my clubs; I have four clubs in London.

2775. And did the Scotland Yard officials examine the entries?—I think so, because they were very particular in making their investigations to know my whereabouts for that period.

2776. Since you left in June?—For the period when I left in June till I came back in July.

2777. And therefore your movements can be traced accordingly?—Oh, yes, and I will certainly trace them if it is any assistance to the police or the Commissioners.

2778. How do you know that the Scotland Yard officials examined those entries?—I understood, I don't know, but thought that they had verified all my movements.

2779. Do I understand you to state that on the 4th of July you dined with Lady Grenville at Brook street?—The 4th or 5th of July.

2780. Could you fix it as the 4th or the 5th?—No, I could not. I could by writing to her. I could write to her now; she is at Killiney, I think.

2781. Chairman.—I don't think she would remember it any more than you would.

2782. The Solicitor-General.—But of course you understand the importance of the matter?—Shanlight remembers who was present.

2783. Was it the Friday before the discovery, or the Thursday?—I think it was the Thursday, but it might have been Friday; I think it was the Thursday.

2784. And could you tell me did you immediately, or some time after the robbery, get a telegram at all from Sir Arthur Vivers asking you to come over; do you recollect?—To come over soon, do you mean, immediately after the robbery?

2785. Yes?—I only got a telegram in answer to mine, asking it was true about the jewels. He wired me, "Yes, and my mother's also, and if you have a copy of the Statutes of the Order take them to Scotland Yard to have blocks made of those plates." I was to come over in any case, I wired from Paddington to Canterbury, to Mr. Goldney to know when he was crossing, so as to cross with him, and I got back a wire to say he had already crossed on Sunday.

2786. Yes, as I understand, had got a telegram from Sir A. Vivers asking you to come over after the robbery was discovered?—He may have wired, too, about arranging. He knew I was coming over. The arrangement had been made a week previously, but he may have said, "Come over with Frank," and I may have had a telegram in reference to that, but it was only a matter in confirmation of an existing arrangement.

2787. When did you, as a matter of fact, arrive in Dublin after the jewel robbery had been discovered?—I arrived on the morning of Tuesday, the 9th.

2788. And then, as you tell us, you went to Sir Arthur Vivers' house at Clonskeagh, is not that so?—Yes, sir.

2789. Did you, on that morning at all, discuss with Sir Arthur Vivers as to how, possibly, the robbery could have occurred?—I am not quite sure that I did. Not to any extent that I can remember. No, I did not.

2790. Can you recollect any suggestions he made to you then as to how it could have occurred?—No; because I cannot remember his having made any suggestion to me as to how it occurred. No, I recollect no conversation. When I saw him he was in a sort of condition that he really did not know what to think. He seemed quite overwhelmed by the whole thing.

2791. You were in the house at that period for about a week?—I imagine about a week.

2792. And did you and he discuss it on various occasions during the week?—Oh, yes, of course we discussed it, very much so, because a person came from the Irish Exhibition to say she could tell us something about the loss of the jewels, and I promptly went off at once to the Italian section of the Exhibition and found a woman who told us that her daughter had a vision, and Sir Arthur Vivers arranged a audience of clairvoyants to see where the key was on the following Sunday at St. James's terrace.

2793. You had a clairvoyance seance?—He had.

2794. At his own house?—Yes.

2795. What was the date of that?—The Sunday following the robbery. Twice o'clock.

2796. Chairman.—Sunday week?—Sunday week was it? Then I must have been longer in Dublin. I was present.

2797. It was the Tuesday after the robbery that you arrived?—Yes.

2798. Then it was the second Sunday after the robbery that you must have been here, for the first Sunday after the robbery was the day after?—Oh, yes, I am talking of my arrival.

2799. The Solicitor-General.—It was the Sunday after you arrived that the seance took place?—Yes.

2800. And that occurred at his house?—At St. James's terrace.

2801. Now, how long was Mr. Goldney over here while you were here?—I do not imagine that he was here more than a few days. He arrived on Sunday and left probably Wednesday or Thursday.

2802. He was here for some couple of days?—Yes, he was here for some couple of days.

2803. While he was here he was also staying at the house at St. James's terrace?—Yes.

2804. Did you and he and Sir Arthur ever discuss together how possibly the robbery could have occurred?

DUBLIN.

JULY 15, 1922.

—Oh, yes, we did and talked about it, generally, and must have done so. It was most natural. I am sure we talked fully about it.

2330. Can you tell the Commissioners at all whether there was any speculation on the part of either Mr. Goldney, Sir Arthur Vicars, or yourself as to how it occurred?—Oh, there was nothing remarkable at all. We came to the conclusion that somebody at some period must have got hold of a key and made an impression.

2331. When you were here did you ascertain at all from anyone that the strong room door had been found open on the morning of Saturday, the 6th of July?—I was told that by the office messenger when I came over here. He told me that he told Sir Arthur Vicars on the morning of the day on which the jewels were first missed that when he came in the strong room door had been found open by the office cleaner and that she had removed the keys that were always hanging in the grille and had put them into an envelope and left them addressed to the office messenger on his table, where he found them on entering the office. This was reported to Sir Arthur Vicars, and apparently Sir Arthur Vicars did not investigate the strong room to see if anything had been taken.

2332. When first did you hear of the incident?—When I came over.

2333. Who told you?—The office messenger. I asked him to tell me all that had happened, including the discovery of the safe. He said it took place in the afternoon at 3 o'clock, when Sir Arthur Vicars had sent him downstairs with a key to open the safe, as he wanted to put in Lord de Ros's collar, which had been returned to him on his death, and that when he went to the safe and tried to turn the key he found it would not turn and he turned it forwards and then it turned. Then he turned it back to the way he originally found it, and went to tell Sir Arthur and met him on his way coming down, and when Sir Arthur opened the safe and looked at the case he said, "My God! they are gone," and then opened all the cases, one after the other, on his knees.

2334. Chairman.—What day was it you had this conversation with Stacey?—I think it was on the Tuesday, the day that I arrived, I imagine.

2335. Sir Arthur Vicars had not spoken to you about the strong room having been found open?—No; I learned it here. It was only from the office messenger I heard it. When Sir Arthur Vicars did refer to it afterwards I remarked to him about the strong room. I said, "Why did not you examine the strong room?" and he said, "Oh, I was so worried that I did not think. The police are making great capital out of this, my not having told them in proper time, and unfortunately the police have been annoyed at my not having been conveyed to them at once," and he seemed rather vexed with me, because it seemed a natural thing, when he was told of the strong room being open, where there were collars and jewels and things, that he would examine it. I did not know about it in the morning till I came in here. It was in here I learned it, not from Sir Arthur Vicars. I think I am quite clear on that. It made an impression on me at the time. And I think it was remarkable, quite remarkable, that he never trusted me with the key of the safe and yet sent down this messenger with it. He had a sort of mania. He used to go round at night feeling that every one of these safes were shut. Many a time ten minutes passed after my getting a cab for him in writing while he ran round to see that everything was shut.

2336. Did you ask him at all or put it to him how the strong room could have been opened on that Saturday?—Yes; I said, "How could the strong room be opened?" The reason I spoke about the strong room was that that being a master of the same date with the robbery, that and the robbery might have taken place together. He was persistent that he had tried the strong room on the Friday night when he was leaving the office, and that is why the talk as to the strong room remained as much in my mind, it being found open on the same date with the safe.

2337. Did he suggest to you at all as to how it could be opened?—No.

2338. Did you ever put it to him that while it might be one thing to fabricate a key for the safe it was also possible to fabricate a key of the strong room—was that matter discussed?—Oh, yes, we discussed it, that they must have fabricated two keys and that it must have taken a couple of years'

time. And I also asked why should nothing be touched in the strong room, because there was no sign of anything having been disturbed at any period. Why should everything be left as it should be in the strong room?—And I said to him, "When you found the strong room was open and examined it" (as I had not known that he had not examined it at that time) "and found everything correct, surely it would have struck you about the safety?" and he said, "I don't remember. Stacey might have said it to me when I was running up the stairs." I did not press the matter very much, because he did not seem pleased that he had been blamed by the police or that he did not know what the thing meant.

2339. Chairman.—Did you hear anything of the outer door having been found open on the Wednesday morning before that?—No; I never heard that.

2340. Did you ever hear of that till now?—No.

2341. Mr. STACEY.—Not exactly open, but the latch not shut?—This is the first time.

2342. CHAIRMAN.—Sir Arthur Vicars never mentioned that to you?—No.

2343. Or did Stacey?—No, I do not think Stacey did either, sir.

2344. The Solicitor-General.—Now, you have told us about a conversation that you had. Are you quite clear that this is the first time that you ever heard that?—At the present moment, to the best of my recollection, I never heard that before.

2345. Mr. JOHN.—It would rather have struck you if you had heard it?—It would because we talked about so many of the attendant circumstances that one like that mentioned to me would have struck me as so odd, as it would have exceeded the period during which the robbery might have taken place, because it was with the idea of limiting the period that I discussed about the strong room. So it would have struck me.

2346. The Solicitor-General.—You told us before of a conversation as breakfast on the morning of your arrival?—Between Mr. Goldney and myself, having breakfast together.

2347. Yes, about your having made a remark?—I think it was up in the bedroom. I think Mr. Goldney was shaving, and I had just had my bath, and we were talking of things in general, and I said I just came across with Lady Gurney, and she said, "Was not it funny that I should have made the remark to her?" And she remembered it. I forgot it myself till she brought it to my recollection.

2348. And you found Rear-Admiral Tudor made the same remark?—To Lady Mayo, I think, some months afterwards. He put his hand on me like that (what the witness indicated by a gesture) and he said "Where are the jewels?"—It is not a joking matter at all" I said; because a telegram supposed to have been in my handwriting was sent to the Lord Lieutenant. And I told him it was rather a serious thing for me, there being so much talk of my being connected so much with the loss, and he said, "I would not have said it if so." And then I told him the various things that had been said against me, including the remark I made to Lady Gurney, and he said, "I made the same remark to Lady Mayo, and objected to the custody of the plate here." And he said he did not think the things were safe. I did not know where it was to be put, but he spoke about it in general terms, and said he had discussed it with Lady Mayo at the meeting of the Committee of the Hibernia presentation.

2349. The Solicitor-General.—That was some months after the robbery had been discovered, is not that so?—Yes.

2350. CHAIRMAN.—It was some months afterwards that Rear-Admiral Tudor told this gentleman, but Admiral Tudor's remark was made before the discovery?—(Witness).—Yes.

2351. The Solicitor-General.—This was in the course of the conversation that you have just mentioned?—I said to him that it seemed rather absurd that it should be used against me, and he said, "Well, I made the same remark," and it was just as much as to say "Well, it might have been used against me."

2228. I am unwilling to go into the details of the question of your pecuniary relations with Sir Arthur Vickers and Goldney. Do I understand you to say distinctly that it was your money paid off those bills?—My money.

2229. Of your brother's?—My money, sir, my own money. It was with my money that I paid it. I do not say that I may not have borrowed it, that it was not given to me, or anything like that, but it was absolutely my own money. I do not deny that people might have helped me, and I do not say that it was the case or that it was not the case, but I say that at the time I paid that money it was my own money, for that purpose.

2230. Now, you have told the Commissioners that there was a number of letters which you had in your possession dealing with the matter?—Yes, sir.

2231. Are you willing to exhibit those to the Commissioners?—Well, sir, I will tell you exactly my position. As far as I can see certain statements were made about me and my finances, and it certainly appeared to me that they did not look favourable to me, but at the same time I would really much sooner not show these letters, because in a way they are letters that are very private, referring to his own affairs, and it seems hardly fair to Sir Arthur Vickers that I should show them. That is the exact position.

2232. Will you allow the Commissioners to read them?—If they are not read aloud to the reporter.

2233. CHAIRMAN.—One of these letters has already been read?—Yes, but I think there is nothing in that that could in any way tell against Sir Arthur Vickers. It could only tell against me.

2234. MR. SCHAFFER.—That is true?—And in my opinion these letters would tell against Sir Arthur Vickers, and I should be very sorry to produce them, but as the question of my honour is concerned I do not object to produce them provided they are not read out aloud. I do not want to cause dead-lock.

2235. CHAIRMAN.—I think it is not necessary to insist upon this. We have had already the fact that there were money transactions between them?—I will let the letters go. (Witnesses' hands letters to Chairman).

2236. We are not pressing for them at all here?—But I have come a long way to try and do my best. The point is this, that I should not be criticised as having done anything unmanly in laying these letters before you. And as regards Sir Arthur Vickers' custody of the key, I have never known anyone to take more care than he did, with the exception of his leaving it out when in his bath, and I give you these letters because I have heard so much recently from private friends who have written to me telling me about things and about me, and I suppose the time has come when I should.—

2237. I think it is only fair that we should look at these letters, and if we think they are relevant to the Inquiry we will use them, and if not we will return them to you?—The position is this, that I left Sir Arthur Vickers' money in small sums, and wrote were served, and I had money, but I should have had to withdraw from a financial undertaking, which it took eighteen months to complete, and I should have had to expose to the financial world in which I was working that I was in financial difficulties, and I kept a flat in London and a house in Devonshire, and without disclosing that difficulty I succeeded in carrying out a negotiation in which I was engaged which the least breath of suspicion that I was in difficulties would have ruined.

2238-23. CHAIRMAN.—I think you may take that, witness. (Handing the witness a letter).—We will take the responsibility of dealing with these things, Mr. Solicitor, and anything that has no bearing at all on the Inquiry we will hand back to Mr. Shackleton. (To Witness).—We will not use these letters at present, but would you keep these letters. You will not destroy these letters. (Letters handed back to witness)?—Do you say it is essential that I should keep them? But I do not think I was actually fairly treated in the matter, as I have been rather misrepresented to my friends, and more or less to the public in general, as regards the way in which I have treated Sir Arthur Vickers.

2239. I am speaking for your own interest and for your own protection. I think you ought to keep

these letters. We do not wish to use them?—I think it is only right. I have my family to consider as well as myself.

2240. We keep this letter of the 25th of August, in which he says, "Now that you evidently know the whereabouts of the jewels?"—Perhaps if you have a copy made of that you will let me have that back?

2241. We have looked at these letters, Mr. Solicitor, and though they are important in some respects, we do not think that they are strictly relevant to our Inquiry?—(Witness).—They entirely refer to financial matters between myself and Sir Arthur Vickers.

2242. The Solicitor-General.—Were they prior to the discovery of the robbery?—Up to the time of the robbery. There is one I should like to use publicly if necessary in the statement I have made. It is in reference to getting a loan of £300, because it was denied. That is a letter of the 22nd April, 1907. (Handed letter to Solicitor-General).

2243. The Solicitor-General.—He hands it to me, sir. (To witness).—Do you wish that to be made part of your evidence?—Part of my evidence.

2244. Solicitor-General reads from letter dated 22nd April, 1907, from Sir Arthur Vickers, 7, St. James's Terrace, to witness, mentioning household financial difficulties as to rent, food, and gas, and adding, "So I should be grateful to you if you would kindly get a loan for me, as I suggested in my last?" (Witness).—The rest does not refer to any matter of importance, but only that point, that there is certainly no instance in which he wished me to borrow money.

2245. Was it at all explained to you by Mr. Benard Goldney or by Sir Arthur Vickers why in September 1907 you were asked to pay up these bills?—Was it explained why?

2246. Yes?—The reason was because in the face of the publicity that the question got it might tell against Sir Arthur Vickers and Mr. Goldney with people who would not know the reason the money was borrowed, and that they might not have any of the proceeds. Mr. Goldney never had any of the proceeds, nor had a share of that bill; but it might have told against Goldney, and he was anxious that it should be paid off at once. Then as to Sir Arthur Vickers, he had had £100 on one of these bills, and the reason he wanted it to be paid off was that he said it was serious with a cloud hanging over the office to have any financial transactions between us.

2247. And with a view to that it was communicated to you that the money should be paid off?—Yes; and also, one of his brothers did not like to have this liability hanging over Sir Arthur Vickers. One of his brothers or the two of his brothers, the family, objected to the liability hanging over Sir Arthur Vickers, and wanted me to assign the furniture and plate lying at St. James's Terrace if I did not pay it off. But I did pay it off.

2248. It is only fair to you that I should ask you definitely was the payment off at these bills at that time when they pressed you to pay them in any sense at all in relation to the jewel robbery. Had the request that you should pay off the bill at that time in September any relation at all to the jewel robbery?—In what respect in relation to the jewel robbery?

2249. Was there any impression against you by them at that time that you were concerned in the robbery?—No, not at that time. The impressions were not till afterwards.

2250. And do I understand that the ground of the request to pay off was that, bearing regard to all that had occurred, it would be unfortunate of financial relations turned out to be subsisting between you and them?—Yes; I have a letter which absolutely conveyed that to me, and first it was written by one of Sir Arthur Vickers' brothers to me. The brother wrote to me that it was serious for Sir Arthur Vickers at this moment, and also serious for me.

2251. Have you that letter here?—No; I can send that letter to you.

2252. CHAIRMAN.—To the Secretary of the Commission.

2253. The Solicitor-General.—It is only fair to ask you, at that time was there any impression against you by either Mr. Goldney or Sir Arthur Vickers?—At what date?

2254. At the time when you were paying off those bills?—The first I ever heard against me was that the detective had a telegram which was sent to the Lord

Drum.
Jan. 25, 1908.

DUBLIN.
Jan. 16, 1926.

Lieutenant saying "Jewels are in box, 9 Hailey street, Dublin." I had just come up to London from Scotland. I had been at Fort Blockhouse, and I came up to town and saw Inspector Kane. He came to the club, and he said: "Oh, I thought you were not coming up till Wednesday," and I said: "I came up to-day," and he said: "I want to show you something at Scotland Yard," and I went to Scotland Yard, and he said: "Whose writing is that?" and he held up what appeared to be an ordinary telegram form such as one to be found in all telegraph offices, but all folded up except just a portion of the writing which was the word "Dublin," and I said: "That is mine." I would have sworn, if I had not seen the rest of it, that it was my writing. And then the telegram was opened out, and I saw that it was not written by me.

2235. What was that telegram?—It was a telegram sent to the Lord Lieutenant from Great Malvern.

2236. To what effect was it?—It said: "Jewels are in box, Hailey street, Dublin." Then Sir Arthur Vicars was at Canterbury at the time, and he was telephoned for by Scotland Yard to come to see if he could identify the handwriting as mine. He was shown the one word and asked in my presence who wrote it, and he said, quite like that: "I suppose you did." He did not answer Inspector Kane, and he said "you" and "I suppose," and they all looked at one another. Major Vicars was there at the time too. And then the thing was opened out, and he still pretended it was mine, and I said: "You might believe it was mine."

2237. CHAIRMAN.—When the telegram was opened out?—We all went to Scotland Yard, and the telegram was opened out at Scotland Yard and carefully read over. I said to him: "Well, you do not believe it is mine, do you?" and he said: "Yes, I do," and I said: "You may think the writing is like mine, but you do not think I wrote it, do you?" "Well," he said, "I do think you wrote it." You have not named the police? He generally conveyed to me that he was more or less suspected me. And Inspector Kane said: "Now, Mr. Shackleton, you will not be astonished at whatever position" (or words to that effect) "the police assume" or "what notice they will take of this statement" or "what action." In other words, it conveyed to me that I might be arrested on suspicion. First of all, I think it is criminal to send a telegram or anything of that nature to the King or his representative. At any rate, I did not know what might happen. I went to my flat that night and expected to be arrested next day, and I sent a district messenger to my brother in Devonshire to come up, and I stayed in London, and I kept Scotland Yard posted of my movements of the day in case they wanted to arrest me. And last was the fact that there was anything against me. The telegram had been sent on the 23rd of August, and that was in September.

2238. The Solicitor-General.—As I understand, the only word you saw at first was Dublin?—"Dublin."

2239. When the whole telegram was revealed—I denied it at once.

2240. Was at your writing?—It was not my writing. The word "Dublin" was like it.

2241. Was "Dublin" your writing?—No. I was never informed, or relieved of the suspense and unpleasantness I felt with regard to that telegram; but I have been informed since, but not till quite a long time afterwards, that Scotland Yard had completely investigated the matter and found that the telegram was sent by a gentleman of high repute in Great Malvern whose wife had a ring, or thought she had a vision and saw the words "9 Hailey street, Dublin." Nor have I been informed for some moment by Sir Arthur Vicars that it was so, and the greatest capital was made out of it, and it was told against us everywhere.

The Solicitor-General.—I think it is only just to this gentleman to state that the matter has been investigated as regards this telegram by the police officials and authorities, and it has been discovered that the telegram was sent by a gentleman of high repute in circumstances of the character he has just indicated. That is the information in the possession of the police relating to that telegram, and also to a subsequent one which was sent also to Lord Aberdeen from the same Post Office on the 4th of September. That telegram was sent by A. Bullock Webster, and whatever bearing the incident might have on the

case, it is only right, in justice to the witness, that that should be mentioned to the Commission.

CHAIRMAN.—It is clearly proved that Mr. Shackleton had nothing to do with either of these?

The Solicitor-General.—Yes.

CHAIRMAN.—They were sent by Mr. Bullock Webster, under the circumstances stated, as the result of robbery.

The Solicitor-General.—Do you know any man of that name at all?—No. And this has been greatly used against me, and I have never had an opportunity of having it cleared up yet.

The Solicitor-General.—I thought it was only just to the witness that the matter should be stated to the Commission. Of course that is only one aspect of the whole case. Witness.—That was the first time that I understood that I was in the least way connected with the jewel robbery. The next was when I understood that Mr. Goldney had said that I had stopped at home just after the robbery. He called and asked me to go to the Exhibition. I said: "No; I will stop at home and destroy a lot of papers." I had various letters, and I thought Sir Arthur Vicars' letters were amongst those which I had destroyed, my reason for destroying them being this: Should anything happen to me—should I die or anything—hecause I had been rather ill of late—I did not like to feel that when I lent money during my life, upon certain conditions—in one instance a bank clerk had taken money and I lent him money to get it back, and these sort of letters I meant to destroy, because all the good I had done would be undone. But it was not so, as I afterwards stated, for I found these letters in an envelope marked "UV," as one when I was very ill. I had put these letters together, keeping them. At the same time they were tied up with others marked "to be destroyed." If I died I did not want my executors to come down on anybody for the money lent during my life. As I did not know how far the investigation would have power to search one's private letters, I do not recollect making the remark that the detective might come. But I may have said that; but at any rate it was told to Scotland Yard that I destroyed letters, and it is quite right; yet, I may have said it, but if I did, it was in a joking way. I hadn't applied my mind to that subject, and therefore I will not deny having said it, but my one object was that I did not wish that letters from people who had absolutely taken me into their confidence should be left. That was the next time that I knew that I was suspected; when I found that Mr. Goldney had stated to Scotland Yard that I had stopped at home tearing up letters.

CHAIRMAN.—I do not think that this is very relevant.

2242. The Solicitor-General.—You say that suspicion has been thrown on you. I must ask you a definite question, and you will understand that you need not answer it if you do not like. Did you, or did you not, take the jewels?—I did not take them; I know nothing of their disappearance; I have no suspicion of anybody.

2243. Were you concerned, directly or indirectly, in their taking?—No. I know that I am suspected because I travelled from Paris to Italy about the end of the year. I had gone out there on business. Even a man in the train who didn't know me happened to touch on the jewels, and from what he said I had a feeling that I was suspected. He made a reference to me, and I think I pointed to a printed label hanging on my luggage which was almost as if I had said "I am the person." I also saw that a paper stated that the jewels had been traced to Paris, and that a Scotland Yard detective visited an important West End club and there saw a member who immediately left for the Continent "where he now is," and everything fitted into it. Twice I went to Paris, but it was solely on business connected with financing a business which I helped to bring out at the end of the year, and had it been known that I had ever been in financial straits I would not have been able to bring the thing through.

2244. You say you did not take the jewels?—I did not take the jewels.

2245. Did anyone in connection with you take the jewels?—No. I had no hand in it, nor do I know anybody that took them, nor have I the least suspicion.

2906. Or have you any idea as to where they are?—No, not the least idea as to where they are.

2907. You told us that note in your diary you had, as you thought, the possession of the key, and that you were in terror about it!—Yes; I had the key of the box in which the keys were kept, and I was under the impression at the time that the keys or the key of the safe was in that box.

2908. That was in the old office?—That was in the old office. I don't know whether it was the safe safe. I may have said to someone I once had the key, but I am wholly thankful I have not had it. I said to Sir Arthur after the loss of the jewels: "Oh, it's a long time since I had the key," and he said: "You never had it at any time at all," and I said: "Was not it in the key box when I was down in the lower office?" "Oh, never."

2909. It would be a desirable matter to get any information that would throw light on the affair of these jewels; can you assist the Commission in any way in that?—Not in any way, sir; I have absolutely no knowledge of it; I cannot even suggest a possible solution of it other than the one which I have already suggested, namely, that somebody residing in our house at some period, or actually in that house, had access to the key and put on another key.

2910. But beyond that can you throw any light at all?—No light—none.

2911. Have you heard any speculation from anyone as to where the jewels possibly may be?—No, sir, other than I was told they were back in the office. I know perfectly well that I am accused of even aiding Lord Huddes in taking them away.

2912. You need not mention that!—I am only mentioning what has been said. I would tell you if I knew. I have come all the way from San Remo, and I am not at all strong in health. I have done it at very great sacrifice to myself, and it is hardly likely that I would be here if not to assist. I have come to assist.

2913. I merely want to get out the facts!—I am ready to give all the assistance I possibly can, and I consider I answered questions which had no bearing whatever on the question, and I think that ought to convey to you my willingness to give any evidence I can.

2914. It was conveyed to you by the Chairman that your being asked to go into these financial matters was the result of statements that had been made already!—Oh, yes. The action, evidently, was to give evidence as regards the custody of the jewels, but where I have given further evidence here has been in my own interest, for which I am very much obliged, sir?

2915. You have told us that you have sometimes had Silvey's key for the outer door?—Well, I am not sure; I think it may have been in the other office, in which case it would be a man named Quinn. I didn't name Silvey, but the office messenger for the time being.

2916. To come in on Sunday!—To come in on a Sunday here, or a Bank holiday.

2917. Do you know whether that refers to the old office or to this office?—I have a distinct recollection of having come to this office on a Bank holiday or a Sunday, or some time that it was locked.

2918. Why on those occasions would you not get Sir Arthur Vickers' key?—I might have had his key, but my recollection is that I got the office messenger's overcoat.

2919. I just want to ask you one question about that letter. I notice that in this letter of the 22nd August, 1907, written by Sir Arthur Vickers to you, there is the statement: "Now that you evidently know the whereabouts of the jewels, from what you have said to both Frank and me, I hope that you have told Mr. Kane everything calculated to facilitate matters." Who was the "Frank" referred to there?—Well, Francis Bennett Goldney.

2920. Do you remember if you had spoken to him previously on the subject?—I had spoken to him at the club, as already taken down. I reproached him for not telling me that the jewels had been discovered, and he said: "Are they?" and I said: "Yes, they are," and, being away, I presumed that he had not seen the report, because I saw Inspector Kane on the same day on the subject.

2921. But the phrase is: "Now that you evidently know the whereabouts?"—That is because they wanted to put those words into my mouth. Major DEBATE, June 18, 1908.

2922. Did you reply to the letter of Sir Arthur Vickers?—I am almost certain I must have replied; I do not know whether I did or not.

2923. Did you see him after this letter—you must have seen him at Scotland Yard?—I must have seen him after that.

2924. Did you call his attention to that passage of the letter in which he says: "Now that you evidently know the whereabouts of the jewels?"—I cannot recollect; it would be a most extraordinary thing if I did not.

2925. Can you recollect what you said to him?—I cannot recollect even calling his attention to it, and at the time I was not writing to him more than I could help.

2926. But you know the phrase now, "Now that you evidently know the whereabouts of the jewels." That is, of course, a distinct thing from saying that they had been found; that indicates that you know where they actually were!—Well, Sir Arthur Vickers has my letter. Has that letter to Sir Arthur Vickers been produced reprimanding him for not telling me, and have you had any letter of mine to Sir Arthur Vickers on this subject?

CHAIRMAN.—We have had no letter on this subject; we have to get any evidence here.

2927. The Solicitor-General.—Did you send him a letter reprimanding him for not telling you that they had been discovered?—I wrote to Mr. Mahony, the Cock Herald, in the same strain, and he wrote back to me saying: "There is no truth in it; it is only a newspaper rumour." I wrote reprimanding him for not telling me that they had found them.

2928. Was your letter written prior to the date of this letter?—It would be simultaneous. I wrote at the same time. I wrote to Mr. Mahony and also to Sir Arthur Vickers, and Mr. Mahony's answer was that it was only newspaper talk and that there was no truth in it. I was very indignant at being left out of it, and I think Sir Arthur Vickers purposely twisted.

2929. The "Frank" referred to was Francis Bennett Goldney!—Yes; I saw him at the club. I had just been down at Bognor, and I was very angry at not being told, not having seen the contradiction.

2930. Did Francis Bennett Goldney ever afterwards put it to you that you had told him you knew the whereabouts of the jewels?—He framed the idea in a letter to me saying that he had told Inspector Kane of Scotland Yard, what I had said about the jewels, and the same day that I mentioned it to Mr. Goldney, Inspector Kane called on me, or the next day, and left a letter saying it was important that I should come to Scotland Yard at once. I went straight to Scotland Yard, and there I saw Inspector Kane, and he asked me the meaning of it.

2931. Of what?—Of my saying to Goldney about the jewels being found, and he accepted my statement, and as he is in Ireland he could absolutely bear out my statement.

2932. But on that occasion did Mr. Francis Bennett Goldney put it to you that you had told him what the whereabouts of the jewels were?—No. This letter which he sent was some confirmation of my statement, but not in the way in which I meant it at all.

2933. Here you get that letter?—No, I don't think I have.

2934. What did he say?—He said: "I have seen Mr. Kane and told him what you said about the jewels," or "that you know where they are and that you refused to be cross-examined, that you had good authority." He might have asked me what my authority was, and I may not have said, I believe I said at the time that I referred merely to the fact that it was generally discussed; that Sir Patrick Cell had come over to me in the hotel and said: "Now what do you think of the jewel robbery?" or something like that. I don't remember. I did not attach any importance to this till Inspector Kane came and told me. My letter to Mr. Mahony ought to certainly bear out my statement, if he has any recollection of it. He has written to me, but I have not written a letter to him since.

PROMPT
Ans. 16, IRISH.

2358. Mr. Bennett Golding's version was that you refused to be concerned; isn't that so?—As to where they were or how I knew, Inspector Kane, who is here, told me that at Scotland Yard.

2359. What did you say to Inspector Kane on the subject?—I said I might have used the expression; that I had it on good authority.

2360. What?—That Sir Patrick Cell had told me, evidently after reading it from the newspaper like anybody else.

2361. It was at Harrogate, you say, that you met Sir Patrick Cell?—Yes; in the same hotel.

2362. Had you the jewel's in your possession, or any knowledge of them, when you were at Harrogate?—No, I never had; I knew nothing about them.

2363. Now, you tell us of the arrangement you had with Sir Arthur Vivers as to the jewels and the variants and so forth this morning, and it was put to you that that was rather a favourable arrangement for Sir Arthur Vivers. How was it you came to enter into such an arrangement as that?—Because I thought I should be more in Ireland. I thought of spending more time in Ireland and devoting myself to genealogy and bringing out two family histories, and I was hardly over in my own house in Devonshire.

2364. Do you know whether Sir Arthur Vivers kept a diary?—Yes; he kept an office diary. He certainly had, I know, a private diary. He could tell the dates of everything. Everything was entered up; everybody that came and went. He could tell from his private diary "F." arrived at such a time, or "F." left at such a time.

2365. Are you aware that he kept such a diary?—Absolutely certain. I have occasionally entered letters in his own diary myself.

2366. And that diary would show that you were in the house?—Would show that I was in the house, and when I left. One of his letters here refers to keeping a diary.

2367. Supposing you left Ireland on the 7th June last year, in the ordinary course would that be in the diary?—That entry would be in the diary.

2368. And if you came home to Chancery Lane between that date and the 8th of July and you saw him yourself, would that also appear?—That would be in the diary; he kept a very conscientious diary.

2369. Mr. Bruxton.—You have seen the jewels, I suppose?—Oh, yes.

2370. When did you last see them?—I think I saw the Lord Lieutenant wearing them at the opening of the Exhibition, but I could not say.

2371. In May?—I could not say that he wore the jewels.

2372. Have you seen them in the safe?—Oh, I have seen Sir Arthur Vivers taking them out and showing them.

2373. When last did you see them in the safe?—The last time I saw them, I think, is my recollection, was Herne Bay week of 1906, when I think he showed them to Lady Oxford and Lady Donegall, who were here at that time.

2374. When Sir Arthur Vivers asked you to lend him money or raise money for him, did he offer you any security?—No.

2375. Did you ask him for any?—No. Once he gave me back a receipt without a stamp on it.

2376. Chairman.—That was the 28th of February?—No, that was the 23rd of July, 1904, the money which he offered to pay with 5 per cent. interest.

2377. The Solicitor-General.—Can you tell the Commission when the *Imperialia* was worn by His Excellency?—I think on Collar days, levees, dinners, meetings and all State functions. There were several Collar days, when the Knights wore their Collars.

2378. Were you here in the office, do you remember?

her, when His Majesty paid a visit to Lord Dudley?—Yes.

2379. Do you remember when His Majesty visited Lord Dudley; did Lord Dudley wear the *Imperialia*?—No, I cannot remember.

2380. One way or the other?—No; I didn't see Lord Dudley on that occasion; I didn't see him pass at all.

2381. Mr. Neenan.—Before you left Dublin in June did you hear a rumour that the King was coming in July?—Oh, yes, I think I did; it had been rumoured for some time previously. Oh yes, there was a rumour that *Leopardswood House* had been put off for him, or something like that. I know that I was in Ireland when there were races put off to suit him arrival.

The Solicitor-General.—It was announced in the newspapers of the 6th of June.

2382. Mr. Neenan.—Mr. Sheehan states that it was out on the 7th.

2383. Mr. Neenan.—Shall I be required again, because I purpose going back, and I should be sorry if I should be obliged to do the journey over again. I have just been able to keep up. I suffer very much from internal haemorrhage, and it comes on with the least exertion.

The Solicitor-General.—I don't think we shall require you again.

2384. Mr. Neenan.—One other point. If I am strong enough I shall be going out to Canada during the year. I intended to go last year, but I wanted to see my brother off to the South Pole, and so I gave that up.

CHAIRMAN.—We sincerely trust that this investigation will come to an end before you go to Canada.

2385. Mr. Neenan.—I am under suspicion. I don't want, on a long journey, to suffer in consequence of suspensions.

2386. CHIRKIMAS.—We have nothing to do with that.

The Solicitor-General.—May I read the statement made by the witness to the police?

(*The Solicitor-General reads a statement of the witness in which he refers to his possession of the key of the office door.*)

2387. Mr. Neenan.—I had forgotten that I had made that statement about the key. The impression must have been naturally in my mind that it was the messenger's key. But I had forgotten that I had already stated here.

2388. You say you recollect having the key on a holiday on one occasion about three years ago?—Yes.

2389. But have you not told us that you had it on more than one occasion?—I think I must have had it on more than one occasion, but I was absolutely certain of one occasion, and I ought to have said "at least one occasion." Now, going over everything, I am sure I had it on more than one occasion. That statement was hurriedly taken down; just to the best of my recollection at the moment.

2390. That was on the 12th July, and signed by you?—Yes. I was upstairs in this office. It was taken down.

2391. It speaks for itself; but I want to call your attention to the apparent discrepancy, whatever it is worth. In that statement you say you had the key on one occasion; now you say on more than one occasion—I should have said "at least on one occasion." I must have remembered one occasion. I remember dropping it into the letter-box; that is how I know one occasion.

The Solicitor-General.—Would you think it right, sir, having regard to the statement made by the last witness, that Mr. Pease Mahony should be asked about it.

2392. Chairman.—Yes; he should be asked about that letter.

Mr. PIERRE G. MANSOUR recalled and examined by the Solicitor-General.

2393. Might I ask you about a certain letter which has been mentioned in the course of the inquiry, which it is stated that you received from Mr. Sheehan in the month of August, 1907?—Well, I did receive some letters.

2394. Have you got them?—I do not think so.

2395. Did you receive any letter from Mr. Sheehan in which he mentioned to you that it had been stated that the jewels were found?—I have no

recollection of it. In fact I might say for certain that I did not.

2396. Do you remember his asking you respectfully why was not he told the fact; do you recollect anything of that kind in any of his letters?—I believe I have some recollection of that, but whether it was his letter or whether it was something else I am not sure.

2397. He did put the question to you, why he was not told?—I believe I have some recollection of that.

2922. Could you give us that letter?—I will have a search for it, but whether I keep it or not I do not know. I will tell you what I think the correspondence with Shackleton was about. It was about some confirmations of arms that he had charge of, and he sent me the particulars. We could not get the particulars of the arms in one of the cases, and I think all that was while Sir Arthur Vickers was away. I think it started before he went away. I wrote to Mr. Shackleton to know did he get the particulars, and he replied, and he might have said something about that.

2923. Do I understand that your recollection is that he did say something to the effect that he ought to have been told that the jewels had been found?—I have a distinct recollection, now that you mention that, some wire or otherwise, but whether it was in that letter I would not like to say.

2924. Was that statement in a letter from Mr. Shackleton to you?—I cannot say. I do not like to say for certain.

2925. But is it your impression that it was?—I am certain there was something of the kind, now that you mention it; there is a distinct recollection in my mind of that.

2926. Of what?—Of what you have said, of why was not he told?

2927. Why was not who told?—He, Mr. Shackleton.

2928. About what?—About the jewels—what you have just mentioned.

2929. CHAIRMAN.—About them being found. Do you remember the newspaper report that they had been found?—Oh, yes; I read that several times.

2930. And did you write back to Shackleton to say that it was mere newspaper gossip, and that there was nothing in it, and that that was why he was not told?—No; I do not know whether I referred to the subject or not.

2931. The Solicitor-General.—Will you kindly search for that letter and send it to the Secretary of the Commission if you find it?—Yes.* May I make an observation? In my evidence I was asked whether Mr. Bennett Goldney or Mr. Shackleton were here at this office prior to the discovery of the robbery. I only wish to mention, as a very remarkable coincidence, that on Monday Mr. Bennett Goldney was here, and I believe he gave his evidence. Well, I did not know it till about 4 o'clock in the afternoon, although I came in once or twice and he was here the whole time. I only give that as an instance that a person might possibly be on the premises and that I might not know it.

The Solicitor-General.—With regard to the telegram which was sent to Lord Abinger saying that the jewels were in 8 Hadley street, I should like to ask Inspector Kain a question on that.

CHIEF INSPECTOR.—Very well, but I thought that had been already cleared up.

Chief-Inspector JOHN KAIN re-called and examined by the Solicitor-General.

2932. Mention was made to-day about the telegram that came from Great Malvern to say "Jewels in box, 9 Hadley-street, Dublin"!—Yes.

2933. That telegram was unsigned?—Yes.

2934. And I think Mr. Shackleton, on seeing the word Dublin, stated to you that the word "Dublin" was, as he thought, in his handwriting!—Yes.

2935. And then when the telegram was shown signed out he said that it was not?—Yes.

2936. Have you investigated that matter?—I have.

2937. And a further telegram sent from the same place by Mr. Bullock Webster?—Yes.

2938. And have you satisfied yourself that they were sent by Mr. Bullock Webster?—Absolutely.

2939. That is, Mr. Bullock Webster says they were?—Absolutely.

2940. And is he a gentleman of high position?—On the highest authority, and he wrote them absolutely bona fide in consequence of a communication made to him by his wife.

2941. Were you ever told at any time, by either Mr. Goldney or Sir Arthur Vickers, that Mr. Shackleton knew the whereabouts of the jewels?—Oh, yes; by both.

2942. Then say what they told you?—They told me that they were fully convinced that Shackleton knew where the jewels were, and that they gathered that from conversations with Shackleton and from some of his letters; but they never could give me any tangible evidence that satisfied me that there was any justification for those suggestions at all.

2943. CHAIRMAN.—Did they show you any letter on which they founded their suggestions?—No, they

did not. It was merely on conversations that came to their knowledge which Mr. Shackleton had had with other people.

2944. MR. SHACKLETON.—Did you ever trace any fact that would tend to throw suspicion on Mr. Shackleton?—Never.

2945. Not a shred of evidence against him!—Not the remotest. I have reported to Sir Arthur Vickers and his friends over and over again, and I desire to say that now, when they pursued me with not only suggestions, but direct accusations of Mr. Shackleton, that they might as well accuse me, so far as the evidence they produced went to justify them.

2946. CHAIRMAN.—That is entirely the impression that we have got—I told them that over and over again.

2947. And is that the result of your inquiries regarding Mr. Shackleton?—That is the result of my inquiries regarding Mr. Shackleton.

2948. Did you examine the club books in relation to him in London?—Oh, yes. I think he has practically accounted for every movement, and he has done everything in his power to supply me with information regarding his movements. There was an answer which I gave to the Solicitor-General yesterday in answer to his question as to whether Sir Arthur had ever mentioned the name of any person who had taken impressions of his loy. I said No. I should like to supplement that by the addition of three words, "except Mr. Shackleton."

2949. Well, we have had it already that Sir Arthur Vickers conveined that!—He said it to me, and therefore I wish to add those three words. It may be of importance later on.

CHAIRMAN.—I think before we call Miss Gibbons up we should see whether there is anything in her evidence that would make it of any importance.

(Statement of Miss Gibbons handed to Commissioners to peruse.)

The Secretary.—I have now seen Miss Gibbons in an office upstairs. She declines to appear before the Commission because she is of opinion that the mode of inquiry does not give full play to her child, for whom she has every respect and regard. I asked her what she meant by the mode of inquiry, and she said, because it is not a judicial inquiry.

CHAIRMAN.—Is there anything further?

The Solicitor-General.—Just one matter. I was asked whether there is in the statutes any direct prohibition against exhibiting the insignia, and at that time I stated from my recollection that there is not.

The Solicitor-General.—He did.

* Mr. Mahony subsequently informed the Secretary that he could not find the letter in question.

DREYER
Jan. 24, 1908.

and I think that is borne out by examination of the statutes, except such prohibition as is imposed in the statutes which provides that they are to be deposited in a most safe in the strong room of the office. I think that a prohibition is necessarily implied in that; but you will have an opportunity of considering the statutes, of course. There is also one other matter that was mentioned in connection with the Kilmaine Street Club. There is in most clubs a book recording the entry and departure of members day by day.

I have had inquiries made, and I have ascertained that that practice does not exist in the Kilmaine Street Club, and that there is no book kept by the hall porter which would tell whether a member was present there on any particular day. There is only one other matter. We intend to call—and this is the last witness—Mr. Bond, who is the telephone attendant in the Chief Secretary's office. He will give you information as to when it is that he goes away at night.

MR. ALEXANDER LORENTZ BOYE examined by the Solicitor-General.

3003. You are the messenger in attendance on the Under-Secretary and the Assistant Under-Secretary in the Castle?—Yes, sir.

3004. In the Chief Secretary's office?—Yes.

3005. You have a room, I believe, immediately adjoining the Under-Secretary's room?—Yes, sir.

3006. And the Assistant Under-Secretary's room lies beyond that, along the corridor?—Yes, sir.

3007. Your room is the first room one reaches upon that corridor?—Yes, the first on the right.

3008. After you go up the stairs?—Yes.

3009. Is it in your room that the Exchange telephone of the Chief Secretary's office is situated?—Yes.

3010. And are you in attendance upon that telephone?—Yes.

3011. Does any other person attend on it?—From 1 to 2, while I am at dinner.

3012. Otherwise you are in exclusive attendance?—Yes, except when I may be relieved.

3013. You remember the 8th of July last year?—Yes, sir.

3014. Can you show by the attendance book when it was that you went off duty that night?—I have marked it 7 o'clock.

(Attendance Book produced.)

3015. Is that your own handwriting?—Yes.

3016. When did you enter that up?—When I was going away.

3017. Do you recollect that night when you left the office?—Yes.

3018. And was that the hour 7 o'clock—when you did go away?—Yes.

3019. Now, when you leave the office is the Exchange telephone in your room open to any person who chooses to go to it?—Yes; any person allowed in the Chief Secretary's office could have access to it.

3020. The entry door is not locked?—Not locked.

3021. And access to it in no way obstructed?—No.

3022. And you left at 7 o'clock?—Yes.

3023. And you did not return till the following morning?—Next morning, 10 o'clock.

3024. Mr. Justice.—There would not be many people using that room after you had left, not many as a rule?—Not many.

The Solicitor-General.—There is one last matter than I have to mention. You remember that it was stated that two keys of the strong room were at first supplied.

CHAPMAN.—Yes.

The Solicitor-General.—And two afterwards. It is right to mention that from the inquiries the police have made, the facts appear to be these. Mr. Penberth was the contractor for the building of the strong room. He has since died. His son is under the impression, and believes, that the two additional keys, the third and fourth, were supplied to Sir Arthur Vizars through his father, in other words, that it was not Sir Arthur Vizars who applied to the Milner people for them, but that they came to him through Mr. Penberth, the contractor. So it may be taken, I think, that the third and fourth keys came in that way to Sir Arthur Vizars, not at the result of any direct application to the Milner people, but through the contractor.

I have had inquiries made, and I have ascertained that that practice does not exist in the Kilmaine Street Club, and that there is no book kept by the hall porter which would tell whether a member was present there on any particular day. There is only one other matter. We intend to call—and this is the last witness—Mr. Bond, who is the telephone attendant in the Chief Secretary's office. He will give you information as to when it is that he goes away at night.

3025. Any person might stay there for a quarter of an hour or so though you were out?—They could, easily, or perhaps longer.

3026. The Solicitor-General.—There is a door there?—Two doors.

3027. From the corridor that you speak of, is there a door leading into your room?—Yes.

3028. And what is the second entry?—When you reach the top of the stairs there is a door that goes to the Under-Secretary's room and the Chief Secretary's room, and there is an anti-room off that, and there is a second door on that side.

3029. CHAPMAN.—The doors are always open?—Always.

3030. The Solicitor-General.—Who would be, if anyone, in charge of the office after your departure at 7 o'clock?—There is a policeman on duty in the hall, and the reception messenger, when he is there.

3031. And the policeman on duty in the hall is downstairs?—Yes, at the main entrance. No person could come in without passing him.

3032. And you say there is a messenger?—Yes.

3033. Where does he sit?—Oh, the reception messenger is there in the room downstairs.

3034. He is the messenger who goes down with the letters to the post?—No, sir; he collects the letters from the Viceregal and Chief Secretary's lodges when the Chief Secretary is here.

3035. He is often out?—He is seldom there after 8 o'clock.

3036. CHAPMAN.—But I suppose any official of the Castle could go in, while the policeman was there, and go up to the telephone without exciting any remark?—Any known official; but I believe the policeman always accosts them, and he takes mental note of where they are going and sees them in and out. He would know where they were going, and he could always hear them speaking on the telephone.

The Solicitor-General.—If it is considered desirable it is very easy to ask the policeman, but I believe Mr. Harrel can tell us.

MR. HARREL.—In the case of Sir Arthur Vizars or any other official going in and out there constantly, the policeman, knowing them so well, would take no notice. It would make no impression on his mind.

CHAPMAN.—Then I think there is no use whatever in asking the policeman.

MR. STRAKER.—Who paid for them?

The Solicitor-General.—That I do not know; but it would be a small matter, and for the moment I would not ask the Commission to proceed on the assumption that Sir Arthur Vizars paid for them. I think it is better to take it in that way, as the matter is a little obscure.

MR. STRAKER.—The Board of Works' witness yesterday stated that they were not paid for by the Board of Works.

The Solicitor-General.—But the expense was a very trifling matter, and for my part I think at present it would be better to assume that they came to him in the ordinary way, and that they were not the result of any special application or paid for by himself. As the matter is obscure it is better to consider it in that fashion.

CHAPMAN.—I do not think that it is a matter of very great importance.

The Commission adjourned.